

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF SEPTEMBER 16, 2003
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:05p.m.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Dub Yarbrough.

ROLL CALL OF DIRECTORS.

Directors in attendance were Mark Conkling, John Chaney, Richard Deubel, and Dub Yarbrough. Donald Rudy was noted as absent. David Stoliker, Executive Director, and other staff were present. Bernard Metzgar, SSCAFCA's attorney, was also present.

APPROVAL OF AGENDA.

A motion was made by Richard Deubel to approve the Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

ANNOUNCEMENTS.

Announcements were made by Dub Yarbrough that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

CONSENT AGENDA.

Minutes of August 19, 2003 Regular Meeting.

A motion was made by Richard Deubel to approve the Minutes of August 19, 2003 as presented. It was seconded by John Chaney and passed unanimously.

Recognition/Acknowledgment of the Treasurer's Report for August 31, 2003.

Mark Conkling indicated that the Treasurer's Report for August 31, 2003 was in the Board members' packets for review and he would be happy to answer any questions on it. No questions were asked or comments made.

PUBLIC FORUM.

None.

CHAIRMAN ' S REPORT.

Mr. Yarbrough stated that Mr. Stoliker needs help with meetings, etc. on the bond election, so any board members who can help out would be appreciated.

BOARD OF DIRECTOR ' S COMMENTS.

Richard Deubel asked for an update on the development of the web site. Mr. Stoliker stated that the website is up and running. Staff is in the process of training on it, which might take a couple of months. The website address is www.sscafca.net and www.sscafca.com. It also looks like www.sscafca.org will also be available soon. He stated that the contract has pretty much been completed with the web designer, and it is SSCAFCA ' s responsibility to get all the information onto the web site. Staff is updating it and the bond brochure will be added to the site. Mr. Conkling stated that he would like to have the web master come in and upload the brochure as soon as possible. Mr. Deubel asked if it was also possible to have the website address printed onto SSCAFCA ' s letterhead. Mr. Stoliker stated that they have been trying to get www.sscafca.gov because it provides a lot of extra things, but that it has been almost impossible to get. It will require a signed letter from the Governor to the place in Maryland which provides the ' ' gov ' ' addresses.

Mr. Stoliker stated that Final Agenda changed items 1 and 2 from the draft agenda. The Final Agenda has the Hawk Site item first.

Mr. Stoliker stated that since Pam McGrath is out on disability, they have hired Erica Baca, as a full time temporary to help in the office.

EXECUTIVE DIRECTOR ' S REPORT.

1. Action/Acceptance of the Hawk Site Bulk Plat.

Cliff Spirock, representing AMREP, stated that they have a plat before the City of Rio Rancho and they are going to be requesting SSCAFCA ' s acceptance of the proposed bulk land plat and the delegation of any plat signatures to the Chairman. The zoning occurred in 2002. The yellow areas on the map are zoned R-2; the purple areas are industrial; tan areas are commercial; and there are portions that are zoned R-1. The concept sketch created in 2001 included consideration of arroyo treatment with parks and planning areas with ponding areas south of the Santa Ana Reservation. The plat has received preliminary approval from the City of Rio Rancho and planning and zoning. The drainage basin includes the National Guard property including a portion of Mariposa all the way along the Rio Rancho city limit line to Well 15 at the top of the hill. The original proposal that was attached to the development agreement with the City of Rio Rancho conceived an open channel system, a combination of park-pond in two locations, and an open channel system going to another pond and discharging in the arroyo. Because of the revisions to the Drainage Management Plan for the Zia Watershed, the park-pond

combinations are deleted and are just considered park lands. They are proposing an open space trail to the City of Rio Rancho. This bulk plat may change subject to the City's review.

Mr. Spirock stated that the latest map shows that the pond needs to be enlarged for pre-developed conditions and, in accordance with discussions of the Drainage Management Plan, an additional tract of land will be reserved for the potential post-developed conditions. There has been a request by both the Chairman and the Executive Committee to ensure an adequacy of width, an adequacy of constructed improvements, and an adequacy of the initial pond for pre-developed conditions. The original site for the park-pond was an old gravel pit. The City of Rio Rancho has a development agreement with AMREP and they are in the process of modifying it. He stated that they are requesting approval of the bulk land plat so that they can proceed to the City of Rio Rancho for acceptance and approval.

Mr. Chaney asked if the plan handled the fully developed conditions for the 100 year storm. Mr. Spirock stated that the proposed ponding areas are, in essence, two parts. There would be a pre-developed condition pond. If they have to continue with current SSCAFCA policy utilizing post developed conditions upstream, assuming 100% of the watershed is developed and the standard lots are at least 75% covered with either semi-pervious or impervious surfaces, a larger pond would have to be constructed. He stated that AMREP is responsible for building the initial pond. Mr. Yarbrough asked if the conveyance system was for fully developed conditions. Mr. Spirock stated that the land area and pipe size are for fully developed conditions.

Mr. Kim Kemper, of Huitt-Zollars, stated that the channel has been designed to convey fully developed flows within the Hawk Site itself and pre-developed flows for the off-site conditions. The channel will convey the flows with a full two feet of freeboard within the concrete section. If the post-developed flows are calculated and added to the equation, that flow still flows within the channel within the freeboard area. The two feet of freeboard they are being required to carry is within the open space area. Mr. Chaney stated that he is concerned about the pond not being built for the full developed conditions now. A presumption can be made that this property will be developed over time and why should the public have to pick up the tab for it later. Mr. Mike Castillo, of AMREP, stated that AMREP and the City are working on a plan that could ultimately provide ponding on the upstream, off-site areas so that the ponding would not be required here. Mr. Chaney asked if approval should be held up until it has been accepted by the City. Mr. Castillo stated that they are leaving an area for storage at this point. The upper area will not develop for many years, so this will give them a long period of time to do the planning work, but yet provide insurance that if the plan for upstream ponding does not become a reality, the water can still be stored here.

Mr. Chaney stated that what he can see happening after several years, is SSCAFCA having to come in and rebuild the pond. Mr. Castillo stated that he does not believe that will happen. He believes that the planning work will be done in the upper reaches and they will do proper watershed management and the water will never be seen up north. If they get into a situation where they're re-platting those ½ acre lots, they will come under the full jurisdiction of all subdivision regulations, which will probably require that the ponds be built by the developer. If a plan is not provided for the upstream areas, then they have allowed sufficient area for ponding at this location.

Mr. Spirock stated that if SSCAFCA requires the developer to construct this pond to its full and large condition, SSCAFCA can be assured that the developer will not participate in any further upstream conditions, or any community level combination of ponds or drainage management in the watershed off-site. The pond will be constructed as part of this development requirement and land will be adequately reserved. The land areas upstream are atypical. The National Guard is discharging without any plan whatsoever and it also intercepts the natural conveyance of waters from west to east. He stated that the Board, by accepting this solution, is handling the pre-developed conditions and providing safety with land reservations.

Mr. Stoliker stated that staff has not received all the information to see what building a pond like this will cost. Staff does not know how big it is going to be and they haven't even seen the bulk plat. He stated that the conditions that staff was concerned about is if the bulk plat provides sufficient area for the 100 year event with fully developed off-site flows. He also has not heard from the City to see what happened from the City's meeting with AMREP. What they are proposing is acceptable to staff, at this juncture because it's a bulk plat, not final design work. Mr. Stoliker stated that if the Board approves this bulk plat today, all the Board is locked into is that it now has all the right-of-way it will need in order to take care of fully developed on-site and off-site flows. When AMREP develops each one of those pieces, conditions will be placed on it. Staff will work with the City to make sure conditions are placed in the bulk plat to ensure compliance. The bulk plat states that AMREP will provide and construct an area for detention that will hold the developed flow from the Hawk Site and existing volume from off-site. AMREP will reserve on the plat an additional area that will be sufficient to contain the on-site and off-site developed flows with the same allowable discharge rates. This will allow AMREP to work with the City over time to see if they can do some things off-site. If they can't do anything off-site to control the flow, then when these lots get developed and go through the design process, SSCAFCA will be able to put on its conditions and have the developer construct the improvements that the Board desires. Mr. Castillo stated that this is correct.

Ms. Sandy Gaiser, of the City, stated that the last meeting they had with the Hawk Site developers was last Thursday. They were also able to meet with Ed Chismar, the Parks Director. They looked at the plans and the agreement at that point was that the channel would be a dirt colored, meandering arroyo to the trails. There was also going to

be some extra landscaping outside of the channel. There were some remainder parcels on the intersections of some of the roads which were going to be looked at later, but the Parks Department and City Development felt okay with the trails system. She stated that Public Works is another matter, however.

Mr. Stoliker stated that AMREP agreed to provide coloring for the channel; meandering of the channel within the conveyance; and naturalistic features in the overbank area. They have also agreed to provide the width and the amount of surface area so there is a ponding area with an easement that will allow area for fully developed on-site and off-site flows. He stated that AMREP has stated that it will provide a concrete lined channel section which will carry the developed on-site flows and the existing off-site flows with an additional two feet of freeboard. It is staff understands that the 2' of freeboard is sufficient to carry the developed flows with no freeboard. The issue of no freeboard will be handled by depressing the channel in the ground, thus allowing AMREP to meet FEMA criteria. If AMREP does not work out the watershed ponding issues with the City and they get a fully developed off-site watershed, it is staff's understanding that the two feet of freeboard will allow for the fully developed off-site to be kept within that two feet of additional freeboard. Mr. Kemper stated that this is correct. Mr. Stoliker stated that SSCAFCA will have a hardened surface that will have fully developed off-site flows within the concrete channel. He stated that if the area gets a 100 year event, it's possible that there could be some washing out of the earthen sides of the incised arroyo. It meets Board criteria, but normally SSCAFCA would ask for another foot or two of freeboard to provide for wave action, super-elevation, and etcetera. However, due to the possibility that additional ponding may be provided within the watershed along with AMREP's large ownership (over 30%) in the watershed and desire to make this happen, staff is willing to do this if it meets with the Board's approval. Staff recommends approval of the bulk plat with the proviso that SSCAFCA sees the final plat for review with the Executive Committee and attorney review.

Mr. Deubel stated that it sounds like two feet of freeboard is an engineering standard and there is a reason that you have to have that. If that freeboard doesn't exist, which is what the case would be if there is a 100 year event in off-site developed conditions, then SSCAFCA could be compromising or ignoring an engineering standard. Mr. Stoliker stated that if you have a perched channel above natural ground, they require that all the flow be within the channel. You have to take into account water elevation, wave action on top, super elevation around a curve, plus the full depth of flow, so you would want an extra three feet. If it goes underneath a roadway, it's four feet. If, on the other hand, you have a depressed channel, then the extra freeboard is not required. FEMA has two criteria, one for a perched channel and one for a depressed/incised channel. This then becomes a policy issue recognizing that erosion will occur if not hardened.

Mr. Stoliker stated that the proper time to request that the additional hardened freeboard be required would be at this time. The requirement to meander will increase the super elevation and the wave action. He stated that if a 100 year or over event occurs,

some maintenance will be required. Mr. Castillo stated that the additional freeboard is provided within the incised channel. Mr. Stoliker stated that a general hardened channel is 7 to 8 inches thick and reinforced. There will, however, be some dirt washing away on the top. If the additional foot is added, the channel will be more visual and more dramatic. Mr. Spirock stated that this is supposed to be a joint use facility with a trail in it. They have been asked not to put in fences and it will look like a corridor running through the City's open space. So long as the depth of the channel was manageable, that was a very prudent thing to request. If they start steepening it, particularly with additional concrete, then fences may be required. If this is the fully developed condition of the Hawk Site, and the pre-existing conditions upstream, and the two feet of freeboard is a contingency, and everything is contained within the property, they are looking at potential erosion on top of the freeboard as an additional contingency. It is his belief that it does not affect, with that type of wider design, any life, health, safety or welfare of the public.

Mr. Castillo stated that AMREP will most likely be the developer of the rest of the property, other than the Hawk Site. He stated that it is a high priority for them to look at platting the area outside of the Hawk Site. He stated that watershed management is important in this area. They will look hard at good conservation procedures above the Hawk Site, to possibly include retardation structures and the like. The development of this area will take some time.

Mr. Stoliker stated that staff has no problem with this plan. He stated that he is recommending approval of the plat. He stated that AMREP will reserve the land area necessary, as identified on the plat, for the conveyance system that is in accordance with what the City of Rio Rancho has approved on the Master Plan; it will be wide enough to take fully developed and undeveloped flows, with a hardened channel that will provide up to two feet of freeboard in it for the off-site undeveloped. The land area necessary for ponding will also include sufficient area for fully developed, off-site flows. AMREP will color the channel, provide meandering in the channel with naturalistic features in the overbank area. The City of Rio Rancho will handle the trails. When the bulk plat comes through, staff and Mr. Metzgar will review it and take it to the Executive Committee for final approval, and signature by the Chairman.

A motion was made by Richard Deubel to accept the Hawk Site Bulk Plat as presented, subject to final review by the Executive Committee and signature by the President. It was seconded by John Chaney and passed unanimously.

Mr. Deubel asked if approval of this has deviated from SSCAFCA policy as far as the requirements for providing for fully developed off-site drainage. Mr. Stoliker stated that has not happened. This provides for fully developed off-site flows.

2. Action/Acceptance of Sierra Norte Unit 2, Drainage Report.

Mr. Vincent Carrica, of Tierra West, stated that he is here today representing Falcon Ridge Development. They have a subdivision just off of Unser and Pine. The first subdivision currently under construction is Sierra Norte 1, which is 110 lot development. They are today requesting acceptance of a drainage report for Sierra Norte 2, which is 270 lot subdivision located south of the initial subdivision. It consists of 57 acres, 7 ½ of those acres proposed for a multi-use park/drainage facility. The drainage conveyed either through the park or from the subdivision is less than 500 cfs, but since the subdivision is larger than 50 acres, they are asking for acceptance of the drainage report. The park for the subdivision stems off of Pine Road. The subdivision drains from southwest to northeast. The drainage report and plat has been approved for Sierra Norte 1. They have preliminary plat approval for Sierra Norte 2. They have a basic conceptual design of what they envision the park to be. They are still working through the City Park Commission and City Parks Department to finalize the design. They are waiting on the completion of some development agreements to determine exactly how much funding will be available through the park credits.

He stated that they have an arroyo that borders their west property line. It comes down and enters a park/pond area. The rest of the subdivision area enters either through the entrance road or the middle of the park/pond. The majority of the low flows will be channeled to one corner of the park and then conveyed across Pine Road. A 100 year event will create approximately 2.2 acre feet of ponding in that corner. Anything in a 100 year event will back out onto the park area and will drain in approximately 2 hours. Falcon Ridge has been before SSCAFCA before talking about the park/pond usage to get the greatest use. They are here today asking for the acceptance of the drainage report for Sierra Norte 2 subdivision and are requesting delegation of final plat approval to the Executive Director.

Mr. Yarbrough stated that the Board had discussed in the past some way to start cleaning up the water. Mr. Stoliker stated that they have talked about it in the past, but still have not gotten the policies written to do anything. Staff is asking that SSCAFCA get an easement over the area so that if something needs to be done in the future, then it would have the ability to do it. Staff is recommending approval. Mr. Carrica stated that most of the drainage will be conveyed to the pond through the street and the arroyo to the west of the subdivision.

A motion was made by John Chaney to accept the Sierra Norte 2 drainage report as presented. It was seconded by Richard Deubel and passed unanimously.

3. Action/Acceptance of the Cabezon Bulk Plat.

Mr. Bo Johnson, of Curb, Inc., stated that they are at the beginning of the second phase of development. They have an accepted master plan approved. They have purchased approximately \$10 million worth of property and have about 200 more lots to acquire. Some of those will have to go through the courts to get title to them. Wilson & Company has been hired to do the master plan work. They are requesting bulk land plat approval to allow them to go forward and complete the zoning and mapping action. The bulk land plat shows platting action that was approved by the City at conceptual bulk land platting and zoning map and they intend to maintain that. At staff's request, they have added an easement line, more commonly referred to as the LEE line. In the areas that they are not mapping immediately, such as Phase I, they have shown an easement to the City and to SSCAFCA so that the parcels will be encumbered by that easement, to be removed at a future time when the improvements are built.

Mr. Dan Aguirre stated that the LEE line is between 130 and 200 feet from center-line each way, all based on the Black Arroyo Watershed Management Plan and the LEE line identified in that Plan. The easement will be removed once they come back with a plat and design for the channel itself and it is shown that the line can be removed. They are reserving that width of the LEE line at this time, so that SSCAFCA is covered and not held to a certain right-of-way. They have submitted a drainage report for Phase I to the Board before, along with the improvements that go with that, which includes the first pond. They anticipate that they will come back with the channel and those improvements within the next couple of months. They are not asking for approval of the conceptual idea at this time, they are platting the property as identified in the bulk plat. The flows are all coming down 24th Street and going into a channel built along Unser.

Mr. Stoliker stated that staff is requesting that the Board accept the proposed LEE boundary, which will become an easement since there is no formal definition for the LEE line yet, contingent upon ASCG's comments. There are two comments staff changed from what Mr. Dodge had put in. Because of the platting actions necessary, they don't want to get a plat with an easement on it, and then next month have to take it off again. The liability is that Curb, Inc. would give up this project and SSCAFCA would only have a partial easement with only flood plain delineation. The liability appears limited because the way the City is working with Curb, Inc., the project will go forward. Also, the public would be better off with this platting action than they are now because SSCAFCA would have control over a major portion of the arroyos. There are two crossings on the plat, and SSCAFCA is only identifying one. Staff is planning on a gateway project, so the one crossing is satisfactory.

A motion was made by Richard Deubel to accept the Cabezon Bulk Plat as presented. It was seconded by Mark Conkling and passed unanimously.

4. Action/Acceptance of the Village of Corrales Proposal to Bridge the Harvey Jones Channel.

Mr. Chaney stated that it had been stated in the past that there was not any significant opposition to the bridge, but since then he has been led to believe that there really is opposition to it. Mr. Chaney stated that he would like to hear from a neighborhood association before taking action on this issue. Ms. Claudia Smith, of Corrales, spoke on the issues.

A motion was made by Mark Conkling to accept the Village of Corrales proposal to bridge the Harvey Jones Channel as presented. It failed for lack of a second.

Mr. Deubel stated that, according to the memo he received, they haven't received a response from the City of Rio Rancho as to the structural integrity of the bridge as far as the waste water discharge line. Mr. Stoliker stated that the sewer line that is in there is critical to the City of Rio Rancho and, as it goes through the process of design and construction, the City is responsible to make sure that the sewer line will be protected. He stated that any approval should be contingent upon City of Rio Rancho approval of the project. Ms. Smith stated that they have done some preliminary engineering on the sewer line problem.

Mr. Metzgar stated that this recommendation says that the Village will obtain written approval from the City of Rio Rancho for the construction of the bridge as it relates to the City. The SSCAFCA Board would be approving it on that basis.

A motion was made by Mark Conkling to accept the Village of Corrales proposal to bridge the Harvey Jones Channel as presented. It was seconded by Richard Deubel.

Mr. Bob Borman, a resident of the Village of Corrales, stated that he did serve as the Chair of the Far Northwest Sector Task Force. He is here today to encourage the Board to approve the amended version of this proposal. He stated that the Harvey Jones Bridge goes back to 1992 when the original crossing of the Los Montoyas was going to be further to the west. The Village has since planned for the Harvey Jones Bridge to cross on a man-made channel and instead of emptying into residential streets, will actually empty into collector roads. These are the roads which the Corrales Watershed District deeded to the Village in 1993 for this purpose. There is not one additional square foot of right-of-way that was taken on the south side of the Harvey Jones Channel. All of the opposition is to traffic behind their back yards. This is not a case where traffic is going to go down residential streets and it is not a case where additional right-of-way will be taken. This is one of four access points to the Far Northwest Sector. The bridge over the Dulcelina Curtis Channel also had opposition from some residents.

The motion passed unanimously.

5. Update on the Bond Election.

Mr. John Cordova, of Hurst-Cordova, stated that Susan Wilson, Vice President, of Hurst-Cordova is with him today and she will be the main person working with SSCAFCA. Ms. Wilson stated that they have had a number of good media placements already. They had an editorial board meeting with the Albuquerque Journal and are anticipating a placement there as well. They continue to provide information to a variety of organizations for newsletter inserts, and information to individuals who have requested basic information.

Right now is the crunch time and it is key that the Board members get out to the public as well and provide information on all the different projects. At the end of the month, they will be distributing brochures, as well as putting them into libraries and making them available to all the neighborhood associations. They have been coordinating with David Stoliker about attending the meetings, and with Laura about getting the meetings scheduled.

Mr. Stoliker stated that the Board has letters in their packets that have been sent to all elected officials, neighborhood associations, judges and etcetera. From that, Laura has been doing follow-ups to schedule meetings with neighborhood associations for presentations by him. He stated that Hurst-Cordova has also provided a bond election questionnaire for the Board and staff. He stated that there are 35,000 registered voters. If you figure half of those will send in their ballot, which comes to 17,000. SSCAFCA needs 51% of that, or 8,751 votes. He encouraged the Board members to get out into the public and provide as much information as possible to these different organizations.

Mr. Stoliker stated that he had a conversation with Jack Thomas about a resolution which contained just the facts on the bond election and he would take it before the Sandoval County Commission for support of the bonds. He would like help from the Board members in promoting the bond election.

Mr. Yarbrough asked if they should put an ad in the paper about the last day to register to vote for this election. Ms. Wilson stated that it is very expensive, but it is something that can be done. They can utilize the graphics they have already put together for the brochure and the fact sheet and they can do that. It is a decision that they will probably make as the date for the election gets a little closer. It can be done on fairly short notice. Mr. Stoliker stated that the ballots go out on the 9th of October and most people will get them on the 10th or 11th.

Mr. Chaney asked if the Board could put an ad in the paper that states that the following people have indicated that they are supporting the SSCAFCA bond issue. Mr. Metzgar stated that he does not believe that SSCAFCA can run such an ad. However, someone else can do so. He stated that there is a committee that has been formed that is in support of the bond election and that committee can certainly indicate who is in support

of the bond election. It is the same group that is going to place SSCAFCA's brochure in the newspapers.

Mr. Stoliker stated that Hurst-Cordova has approximately \$3,000.00 left. He is not sure it's needed, but he would like to have the ability to increase the contract by an extra \$5,000.00. It is within his purview, but he wanted to make sure the Board was aware of it. He also may need some extra brochures, however, no more than 10,000, and he would like permission to go ahead and produce those. It was the general consensus of the Board to go ahead with both of these items.

6. Update on Bosque Maintenance;
Action/Acceptance of Funding Request;
Five Acre Increment Document.

Mr. Stoliker stated that staff met with Anne Bagley and she provided staff with the five acre increment document. They have formed a 501c3 organization. They use prisoner labor to help clean the Bosque. They are getting a Joint Powers Agreement with the City of Rio Rancho. Ms. Bagley delineated potential costs in the Venada only. She would like SSCAFCA to commit to \$10,325.00 through the Joint Powers Agreement, which will complete what she wants done. SSCAFCA's subcontractors will not have to be sent out on this. Mr. Service and the contractors will go out and clean up the garbage on Wednesday and Thursday of this week. They will take care of all of the forestry items. He stated that it is within SSCAFCA's \$20,000.00 limit and he recommends approval. Mr. Chaney stated that this item seems like it comes more under the purview of SSCAFCA's community assistance grants than it would flood control. Mr. Stoliker said that the City of Rio Rancho has used up their grant for this year. He stated that SSCAFCA is not going to be responsible for planting any trees. SSCAFCA is having the work done to clear the area to let the water out, which helps with flood control. Mr. Conkling stated that Mr. Stoliker was given direction at the previous Board meeting to clean up the bosque and an upper limit of \$20,000 to perform the work. It was general consensus by the Board that Mr. Stoliker has sufficient funding and direction to pursue this matter as presented up to the funding limit. Mr. Stoliker indicated that he would like to clean up the entire Venada Arroyo outlet on both sides and that the cost may be more in the range of \$15,000 to \$16,000.

7. Selection of SSCAFCA Flood Control Representative to the Executive Board for MRGCOG.

Chairman Yarbrough stated that it was SSCAFCA's turn to represent the flood control authorities on the Executive Board for the MRCOG and he would like a volunteer. All Board members indicated that they thought Mr. Rudy may be the best selection because he is retired and most meetings were during the day. Mr. Stoliker was directed to ask Mr. Rudy if he would accept this appointment and, if so, to write a letter to MRCOG to this effect.

8. Venada Arroyo Non Cash Charitable Contribution IRS Form 8283 for Chairman's Signature. 142.29 acres of Vacant Land Valued at \$625,000.00.

Mr. Stoliker reported on this item. Mr. Metzgar indicated that the value stated on the form by AMREP is not agreed to by SSCAFCA by signing the form. General consensus was given by the Board for the Chairman to sign the form.

ATTORNEY'S REPORT

1. Discussion of Angel Road Summons Received on 8/15/03.

Mr. Metzgar stated that the lawsuit by Curb, Inc. named SSCAFCA as one of the defendants and he would be answering the complaint on behalf of SSCAFCA.

2. Action/Acceptance Resolution 2003-11 Relating to Per Diem and Mileage Reimbursement Rates and the Rate for Each Meeting of Non-Salaried Public Officers.

Mr. Metzgar presented Resolution 2003-11.

A motion was made by Richard Deubel to accept Resolution 2003-11 as presented. It was seconded by Mark Conkling and passed unanimously.

FOR BOARD INFORMATION:

Mr. Stoliker stated that all of these items are contained in the Board's packets.

- A. Task Order #MO-04-E-B-3-B from Bohannon/Huston to Provide Assistance in the Installation, Start-up, and Training of AutoCAD and ESRI Software.
- B. August 21, 2003 Letter to Ken Curtis Regarding Joiner Property Development Requirements.
- C. Standard SSCAFCA Facility Gate Detail.
- D. September 9, 2003 Letter to Daymon Eli and the Press Release Regarding West Nile Virus.

OTHER BUSINESS.

None.

Mr. Chaney and Conkling stated that they had to leave the meeting.

BOARD OF DIRECTORS REGULAR MEETING

SEPTEMBER 16, 2003

CLOSED SESSION.

Prior to the Closed Session, Mr. Yarbrough stated that because Mr. Chaney and Mr. Conkling had left the meeting there was no longer a quorum present and, therefore, no further business could be conducted, including the Closed Session.

Richard Deubel moved to adjourn. It was seconded by Dub Yarbrough and passed. The meeting adjourned at 4:30 p.m.

Richard Deubel

RICHARD DEUBEL
Secretary

Wm. C. Yarbrough
WM. C. YARBROUGH
Chairman

DATE APPROVED: