

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF 12-13-90 BOARD OF DIRECTORS REGULAR MEETING

CALL TO
ORDER

The meeting of SSSCAFCA Board of Directors was called to order by Chairman Johnnie Losack at 3:00 pm.

Those in attendance were Johnnie Losack, Judy Russell, John Jennings, Floyd Bailey, and Dayton Molzen. Others present were Attorney Bernard Metzgar, Consultant Richard Farmer, and Linda Jeffers, Clerk from the Village of Corrales. Also present were some members of the public.

AGENDA

Mr. Losack read the agenda as published and asked that Ms. Jeffers be added to the Public Forum section. A motion was made by Floyd Bailey to approve the agenda as revised and a second was made by Mr. Losack. Carried unanimously.

SECRETARY/
TREASURER'S
REPORT

Mr. Jennings gave a written ledger to all board members on both the special account and the regular account showing all of the checks and deposits since the inception of SSSCAFCA.

LEGAL COUNCIL
REPORT

Mr. Metzgar's first report was on the urban ponds project. The board had asked Mr. Metzgar to check with the proper owners of those ponds to see if they would give them to the City of Rio Rancho or to some kind of governmental entity so that SSSCAFCA could enter into some kind of agreement with the City of Rio Rancho to do the ponds project if the board decided to go ahead with the project. Mr. Metzgar reported that he had met with the AMREP attorney Mr. Matt Spangler, several times and to his knowledge no progress had been made. Mr. Metzgar informed the board that the organizational meeting had to be on the first business day after the first of January according to the statute, so he had prepared a public notice for the papers to be published to inform the public. Mr. Farmer will take the notice to the papers for publication.

Mr. Metzgar had prepared a list of items that must be covered by statute at the January 2nd meeting. The other item Mr. Metzgar wished to tell the board about was in conjunction with Mr. Farmer's report. Because the six month budget would be up the end of December, Mr. Farmer and Mr. Metzgar had prepared a proposed budget for the next six months to go to Sandoval County. Mr. Metzgar had also prepared a resolution that would be necessary if the board wanted to adopt that budget along with any changes the board wished to make.

REPORT ON
PROPOSED
BUDGET
REQUEST

Mr. Farmer gave each board member a copy of the proposed budget request. Mr. Farmer explained that he had spoken with Mr. Metzgar about the budget because the last time they took this to the County Commissioner it took a long time. Since this budget starts January 1st this meeting seemed to be the best time to discuss the budget so it could be acted on by Sandoval County in time. Mr. Farmer said they were able to make some projections and explained how the projections were made. After discussion by the board, Mr. Metzgar stated that this resolution has to be sent to the State Department of Finance and Administration, and to the Sandoval County Commission. Mr. Metzgar then read the resolution as the board followed along with their copies of the resolution. Mr. Metzgar explained that this resolution adopts this budget. Dayton Molzen made a motion to adopt the resolution #1990-6. Second by John Jennings. Carried unanimously.

REPORT
OFFICE
PERSONNEL
COMMITTEE

Mr. Farmer, Judy Russell and John Jennings looked at proposals for a computer. After discussion by the board it was decided to table this acquisition until a future date.

AMENDMENT
TO STATUTE

Mr. Metzgar asked the board for a discussion on the bond issue, and a possible amendment to the statute. Mr. Metzgar suggested that SSCAFCA go to the legislature and ask them to amend the statute to allow non-general election times for bond approval. First of all if we had been in with the bonds that were in the last general election, we would have been in trouble because it would have been in with so many other bonds. It is difficult to push one when you have all the other bonds around. All of them except one

went down to defeat. If you have it at a separate and distinct time from the general election where you are only voting on those bonds within the authority area you can push for them to pass. If SSCAFCA is going to try to get that amended, someone would have to go this session even though it is a long session. Mr. Metzgar felt the board needed to consider whether it wants to go forward and look into this. There is also other clean up language that Mr. Metzgar felt should be cleaned up in the statute. He said the language is minor, but that he felt it needed to be cleaned up. Mr. Metzgar mentioned that for example the statute talks about, or implies that, only property owners can vote. That is against the Constitution. Therefore, it needs to be taken out. Mr. Losack said he had heard there was already some movement at the state level to get this bond issue out of the general election. Some county clerks had been working on it. Mr. Metzgar asked the board to consider if they wanted to do this. After discussion by the board, it was decided to have some unofficial meetings with some representatives and senators to see if SSCAFCA could get some backing to have the statute amended. Annette Jones and Judy Russell volunteered to start contacting those officials. Mr. Coppola from the audience asked if anyone could attend those meetings. Ms. Russell said yes, it would be an unofficial open meeting.

PUBLIC FORUM


Linda Jeffers, Clerk of the Village of Corrales, reported the Village had asked for money from the County Commissioners to allow Corrales to put in some erosion control facilities. The Village contract engineers had drawn up some preliminary plans and on the 5th of December the Commissioners gave the Village their approval. Ms. Jeffers gave copies of the plans to the board members showing the different structures for the board to review. Mr. Losack asked Ms. Jeffers why she had come to our board and she replied that the Commissioners had asked her to come to the board for concurrence. Mr. Metzgar explained that the flood funds are in Sandoval County and SSCAFCA must go to them for the SSCAFCA budget. Any monies they expend out of those funds would have to be done for flood control purposes and that the Sandoval County Commissioners would have the authority

to make that decision on whether the project is valid. If the commissioners made the decision that it was valid, then they could release the funds. If they are asking just in case we have any objection to it, or to concur, then, that is really all the SSCAFCA board could do. This board does not have any authority whatever to get any of those funds out except for projects that SSCAFCA would have. Ms. Jeffers explained that the Village had asked her to speak to the board to take back the board's recommendations to the commissioners. She stated that the Village does have a couple of roads that propane trucks cannot travel because of the five foot washes on either side. Ms. Russell asked Ms. Jeffers what amount of money they had requested from the County. Ms. Jeffers replied, "\$60,000". Ms. Russell stated she felt the board really needed to set priorities and that the matter should be put off until the board had more information on this project. Mr. Losack stated that if the flood commissioner gave the funds, then they have already approved the money. He felt the board did not have too much to say about it as an authority. He stated the funds are the County's. Ms. Jeffers told the board the Village really did not have the capability to do this kind of emergency work and they are planning on starting to do this work with the money from the State. Ms. Russell asked if this money had come from the county's $1\frac{1}{2}$ mill tax. Ms. Jeffers stated yes. Mr. Metzgar said he believed what the County was saying was that it didn't want to take some money out of the pot and allocate it for this purpose without the board saying that it does at least concur. Mr. Molzen said he believed the request was similiar to those of the City of Albuquerque when the City goes into any drainage project and they as a matter of courtesy go to AMAFCA to find out if this conflicts with anything they have planned. Mr. Losack said we had no projects or proposals so it would not at this time be in any conflict. Ms. Russell felt the board should take it a step further. She said that the county is saying that this is the money we have to work with in the next couple of years until a bond


issue is passed. Whatever projects we want to do the board has this to work with, so if the board wants to take some money out of that and put it into erosion controls in the Village we need to advise them of that. If the board does not want to do this because the board wants to earmark that money for something else, that it needs to advise the County of that fact. Mr. Molzen did not agree. Mr. Jennings felt the board needed to get some kind of clarification of what the County Commissioners were asking from the board. What role do they want the board to play? Are they just asking the board to approve? After much discussion by all of the board it was decided that Ms. Jeffers should get more specific information and be on the agenda at the next meeting. Ms. Jeffers thanked the board and replied she would be happy to comply with the request whenever the board would like her to be on the agenda.

ADJOURNMENT

No further business at hand the meeting was adjourned by Chairman Losack at 4:38 pm.



Judy Russell
Chairperson



John Chaney
Secretary

Approved January 15, 1991