

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF FEBRUARY 16, 1993
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 1:05 p.m.

Directors in attendance were John Chaney, Dub Yarbrough, Guy McDowell, Bill Joiner, and Annette Jones. A quorum was declared present. Bernard Metzgar, legal counsel, was present. Staff members present were Robert Garman, Executive Engineer and Pam McGrath, Administrative Secretary.

APPROVAL OF AGENDA

Robert Garman requested that the Cost Share with FEMA item be moved to after Legal Counsel Report.

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

APPROVAL OF PRIOR MINUTES

A motion by Annette Jones, seconded by Dub Yarbrough, to approve the minutes of January 19, 1993 as written, carried unanimously.

INITIAL FINDINGS ON RECONNAISSANCE STUDY

Phil Boawn, study manager for the reconnaissance study from the Corps of Engineers, reiterated to the Board that there is a conflict on the hydrology numbers produced by the Corps of Engineers and those of the Soil Conservation Service in reference to the 100 year flood on the Los Montoyas Channel and the Harvey Jones Channel. Mr. Boawn stated that the Corps deals in urban hydrology, while the Soil Conservation Service deals with rural hydrology.

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There was a discussion by the Board as to the implications of this finding and how this situation can be resolved. Mr. Garman, Executive Engineer, presented an information paper and recommendation to the Board on the key points from the Corps of Engineers In Progress Review Reconnaissance Study.

A motion was made by Annette Jones to have Robert Garman and John Chaney write a letter to Soil Conservation Service and Corps of Engineers requesting evaluation of the respective sets of data and to have this problem resolved before the next meeting, and if a consensus was not reached, SSCAFCA would bring in a third party to evaluate the data. The motion was seconded by Dub Yarbrough and passed unanimously by roll call vote.

LEGAL COUNSEL'S REPORT

1. Update on Legislation

Bernard Metzgar, legal counsel, stated that Representative Perls had sent a discussion draft pertaining to the changes in SSCAFCA's statute to John Chaney for his reply. John Chaney subsequently asked Mr. Metzgar for his opinion on the proposed changes. The suggested changes to the discussion draft of the House Bill on SSCAFCA and the discussion draft are attached to the minutes.

The suggested changes for Statute 72-19-22 NMSA (being Laws 1990, Chapter 14, Section 22, as amended) were for Sections 72-19-22 I, 72-19-32, 72-19-34 and amending the entire statute where necessary to make it gender neutral.

A discussion was held by the Board on the various changes.

John Chaney applauded Representative Perls on his quick response to this Board and our needs.

A motion by Annette Jones, seconded by Guy McDowell, to ratify the action of Chairman Chaney in sending the suggested changes to Representative Perls passed unanimously by roll call vote.

The Board requested staff to send a fax to Representative Perls requesting a copy of the final draft copy and who the co-sponsors are.

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2. PERA

Mr. Metzgar brought up the fact that under PERA Statute 10-11-2N it states metropolitan flood control authority, which does not permit SSCAFCA as a flood control authority to join PERA. Mr. David Brooks, Assistant Secretary of PERA, informed Mr. Garman that due to the wording of the statute, SSCAFCA was unable to join at this time unless the statute is changed.

A motion was made by Annette Jones to contact Representative Perls to have statute Section 10-11-2N changed to strike the word metropolitan or put in the proper language to include SSCAFCA in the definition. The motion was seconded by Guy McDowell and passed unanimously by roll call vote.

Mr. Garman was instructed to include the above motion in the fax to Representative Perls.

3. Interstate Stream Commission

Mr. Metzgar stated that the draft for ISC has been completed by Duane Brown and copies have been sent to Ted Apadoca, attorney for the State Engineer's Office, and Kevin Powers, the financial advisor for SSCAFCA, for review.

John Chaney, chairman, requested that Mr. Metzgar have a resolution on the legal issue with regard to acceptance of the agreement by the next board meeting.

Mr. Chaney requested Mr. Garman to prepare a report for the next board meeting as to what is exactly needed to get the bonds marketed.

Guy McDowell left at 3:30 p.m.

SECRETARY'S REPORT

None.

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COST SHARE WITH FEMA FLOOD INSURANCE STUDIES

Elvidio Dinez of Resource Technology, Inc. again reviewed briefly the mapping that Resource Technology, Inc. has been commissioned to do for FEMA.

Mr. Garman presented an information paper and recommendation on FEMA Photo Analysis/Flood Insurance Study to the Board for their review. He informed the Board that AMAFCA has agreed to pay \$2,500 of the \$10,000 requested. The recommendation by Mr. Garman is as follows:

"In my opinion, the City of Rio Rancho benefits as much or more than either of the flood control agencies and therefore should foot some of the bill. I recommend that the Board authorize \$5,000 as their fair share of the project."

A motion was made by Dub Yarbrough to authorize \$5,000 to partially fund the FEMA mapping project and to write a letter to the City of Rio Rancho, Mayor's Office, with a copy to AMAFCA and Resource Technology, Inc., requesting \$2,500 towards this project as AMAFCA is contributing \$2,500 and SSCAFCA \$5,000 and the letter should be signed by the chairman. The motion was seconded by Bill Joiner and passed unanimously by roll call vote.

DRAINAGE POLICY

John Chaney instructed Robert Garman, Executive Engineer, to review the CFS threshold level that triggers SSCAFCA's involvement under the Drainage Policy by the next meeting. Mr. Chaney stated that if Mr. Garman had any questions, Dr. Richard Heggan should be contacted as he was actively involved in the formulation of this policy.

EXECUTIVE ENGINEER'S REPORT

Robert Garman, Executive Engineer, thanked the Board for the opportunity to work for them and stated that they had an unique set of problems.

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1. Priority of Bond Projects From Bond Issue

Mr. Garman informed the Board that attached to his report on the Corps of Engineer problem, is his recommendation on the list of priorities should the COE problem exist.

2. Timetable For Transferring CWD Duties to SSCAFCA

Mr. Garman stated that he talked in generalities with Mr. Blair.

3. Introductory Visits

Mr. Garman stated that he has met with Larry Blair, Executive Engineer of AMAFCA and Jerry Fossenier, City Engineer, City of Rio Rancho and very briefly with Mayor D'Arco.

4. Implementation of JPA

Mr. Garman stated that he has had an initial discussion with Mr. Blair concerning the JPA Agreement with more to follow at the next meeting.

5. Drainage Policy

Mr. Garman stated this issue was previously discussed in the meeting and the instructions will be followed.

6. Implement New Banking Regulations

Mr. Garman stated that all of the accounts have been set up in accordance with the motion previously made by the Board.

7. Highway 528 Problem Regarding Nick Mora

Mr. Garman stated that he went up and walked the area in question and went over the improvements that were done by the Highway Department including Mr. Apadoca's plans to riprap the channel east of NM 528.

8. FEMA Issue

Mr. Garman stated this issue has already been discussed.

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9. Dams 1 and 4

Mr. Garman stated this issue has already been discussed. Mrs. Jones stated that this problem had not been discussed and needs further work on it.

10. Interstate Stream Commission

Mr. Garman stated this issue has already been discussed.

11. Reconnaissance Study Agreement with COE

Mr. Garman stated this issue has already been discussed.

12. Legislation

Mr. Garman stated that Mr. Perls has offered to put in a request through legislation for \$120,000 for sedimentation work on the Los Montoyas. Mr. Perls would like for Mr. Garman and/or John Chaney to lobby the legislature for this appropriation. Annette Jones suggested armoring the banks to alleviate settlement. Mrs. Jones said that where the property was owned by CWD, this project could be cost shared between SSCAFCA and CWD. If this was done, there could be a deduction in CWD tax levy. John Chaney stated that SSCAFCA could pass a resolution in favor of this appropriation contingent on CWD lowering the mill levy for their district, as this was the intention behind Mr. Perls' legislation.

Bernard Metzgar, legal counsel, stated that he supported the appropriation which could be used in a joint project with CWD and that, if the appropriation was obtained, CWD would determine how much the tax could be reduced.

John Chaney requested that Bob Garman attend the Corrales Watershed District meeting Monday, February 22, 1993 at 7:30 p.m.

A motion was made by Annette Jones to support the legislative by Representative Perls to appropriate \$120,000 for bank stabilization and sediment control on the Los Montoyas, which may enable CWD to lower its mill levy in the future. The motion was seconded by Bill Joiner and passed unanimously by roll call vote.

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The Chairman requested that Mr. Garman enclose a copy of this motion in the fax to Representative Perls.

13. Copy Machine Rental Contract vs. Purchase

Mr. Garman stated that it does appear too much has been paid on the rental machine. He stated that he has instructed Pam to get figures on different models and he has contacted his previous employer to get the best machine that was used and got a model which will be checked out.

14. Procurement Policy

Mr. Metzgar suggested that Mr. Garman get a copy of the procurement policy from AMAFCA and adopt it to SSCAFCA's needs.

15. RFP's

Mr. Garman stated he has discussed with Larry Blair the different RFP's he has at AMAFCA, but has not done anything further with it. The Board discussed having Mr. Garman moving in this direction so the support firms are available when the need arises, specifically real estate in support of Dams 1 and 4.

16. BONDS

Mr. Garman stated that he has not met with Kevin Powers or Duane Brown, but intends to do this soon. He stated that he still needs to talk to the ISC about the loan/bonds.

17. Benefit Package

Mr. Garman stated that the PERA problem encountered was previously discussed and that the health benefit package requires further investigation.

18. Budget FY/94

The Board informed Mr. Garman that the budget is to be received no later than May 15, 1993 by DFA. The budget should be drawn up by Mr. Garman, Annette Jones, and Pam McGrath.

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Mr. Garman brought up the fact that he does not have a computer and sharing one with Pam is not a good solution. The Board requested a report within the next 30 days on what is needed by the office. The Board suggested that the computer be compatible with AMAFCA.

John Chaney requested Mr. Garman to look into a proper recording system for the meetings. Mr. Garman stated that he has looked into the problem and Pam is checking on availability of the equipment.

A motion made by Annette Jones to enable Robert Garman to purchase miscellaneous equipment not to exceed \$500 was seconded by Dub Yarbrough and passed unanimously.

TREASURER'S REPORT

1. Approve Expenditures 1/13/93-1/30/93

Motion by Dub Yarbrough, seconded by Bill Joiner, to approve the expenditures of 1/13/93-1/30/93 carried unanimously.

2. Approve Treasurer's Report 2/16/93

Motion by Dub Yarbrough, seconded by Bill Joiner, to approve the treasurer's report of 2/16/93 carried unanimously.

3. Approve Interim Report Expenditures 2/1/93-2/5/93

Motion by Dub Yarbrough, seconded by Annette Jones, to approve the interim report expenditures 2/1/93-2/5/93 carried unanimously.

4. Approve Interim Treasurer's Report 2/16/93

Motion by Dub Yarbrough, seconded by Bill Joiner, to approve the interim treasurer's report of 2/16/93 carried unanimously.

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CHAIRPERSON'S REPORT

1. RFP's For Legal Counsel

John Chaney asked for volunteers to review the RFP's received for legal counsel. Dub Yarbrough and Annette Jones volunteered to be on the committee. They will report back to the Board at the next meeting.

OTHER BUSINESS

1. Lease of Building

Dub Yarbrough brought up the subject of the lease on the building to have the Board give thought to the future with building their own building.

2. Feasibility Study - COE

Mr. Yarbrough questioned the feasibility study figures with the Corps of Engineers. John Chaney stated that at the present the Corps of Engineers is in the reconnaissance phase and may not have a project to go into the feasibility phase.

3. Temporary Help

Annette Jones questioned the office using Kelly Services personnel. John Chaney stated that now with two people in the office, the use should be almost nil.

DIRECTORS COMMENTS

None

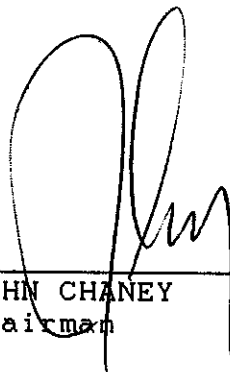
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PUBLIC FORUM


None.

ADJOURNMENT

A motion by Annette Jones, seconded by Dub Yarbrough, to adjourn the meeting was carried unanimously. Meeting adjourned at 6:20 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date Approved March 16, 1993