

SOUTHERN SAN JUAN COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)

MINUTES OF OCTOBER 18, 1994  
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 1:08 p.m.

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

APPROVAL OF AGENDA.

Mr. Garman requested adding a Closed Session for Dams 1 & 4 property after Item XII, Public Forum.

A motion by Dub Yarbrough, seconded by Guy McDowell, to approve the Agenda with this addition passed unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 20, 1994.

A motion by Bill Joiner, seconded by Dub Yarbrough, to approve the minutes of the regular meeting of September 20, 1994 as written and presented, carried unanimously.

SECRETARY'S REPORT.

None.

DAMS 1 & 4 ALTERNATIVE ROUTE.

Chuck Easterling of Easterling and Associates presented the three alignments between Dams 4 & 1 that were considered previously before the final alignment decision was made. A cross-section and cost charts were presented to the Board on each alignment.

There was a general discussion by the Board members.

**RELOCATION OF SUAZO FAMILY.**

Jim McCarthy of C. R. Keever Company, Inc. presented a problem facing the Suazo family in reference to the date the Suazo family was expected to move into their new home. He stated that the new home would not be completed until sometime in December.

Bernard Metzgar, legal counsel, stated that the question facing SSCAFCA now is allowing Mr. Suazo to remain on the property after November 30, 1994, which is the date for moving in the contract of purchase. Mr. Metzgar stated that in any relocation, if there is a delay in moving, rent should be charged. In addition, the trailer should be able to be shown to prospective buyers for resale.

There was a general discussion by the Board members on the various aspects involved in the relocation.

A motion was made by Guy McDowell to allow the Suazo family to rent the mobile home after November 30, 1994 subject to the following conditions:

- 1) That rent be paid at a daily rate of \$10.00 with a departure date of no later than January 20, 1995;
- 2) That the mobile home be allowed to be shown by appointment, seven days a week, holidays excluded;
- 3) That all insurance including fire and extended coverage on the mobile home be continued and that SSCAFCA be named as an additional insured;
- 4) That the mobile home utilities be maintained and that a one week notice be given to SSCAFCA when they will be moving out so that utilities will not be interrupted in any way;
- 5) That a key be given to Bob Garman of SSCAFCA for viewing in case some viewing is done when the Suazos are not present.

The motion was seconded by Dub Yarbrough and it passed unanimously.

**INVESTMENT ALTERNATIVES.**

Jeannie Rayburn, Assistant Vice President of Southwest Securities, presented investment alternatives to the Board that are available to SSCAFCA.

There was a general discussion by the Board members regarding the alternatives that are available.

A question was asked by Mr. Chaney regarding the fees that will be charged by Southwest Securities. Mrs. Rayburn stated that this is part of the contract that SSCAFCA has with Southwest Securities. The fees are \$65.00 an hour for a specialist to talk to SSCAFCA and \$15.00 an hour for clerical. Each transaction fee is \$75.00.

At this point, Mr. Metzgar presented his report and copies of SSCAFCA's present investment policy so that the Board members would have more information for a decision.

**LEGAL COUNSEL REPORT.**

**Investment Policy.**

Mr. Metzgar stated that SSCAFCA has passed three resolutions regarding investments: 1993-4, 1993-5, 1993-13.

Mr. Metzgar stated that any Investment Policy needs to be by formal resolution; however, a motion stating present intent can be passed at this meeting, with a formal resolution to be passed at the next regular Board meeting.

Mr. Metzgar stated, for the Board's information, that AMAFCA does all of its investing in the short-term State of New Mexico Investment Fund.

**INVESTMENT ALTERNATIVES (Continued).**

The Board members further discussed with Mrs. Rayburn the fees that would be incurred in doing the investment.

A motion was made by Guy McDowell, seconded by Bill Joiner, that SSCAFCA, under its present contract with Southwest Securities, authorize Southwest Securities to invest the funds of SSCAFCA that

are presently invested with the State of New Mexico in the short-term investment fund until such time a formal investment policy is adopted by the Board. The motion passed unanimously.

**TREASURER'S REPORT.**

Postponed until November 15, 1994.

**EXECUTIVE ENGINEER'S REPORT.**

1. Dams 1 & 4 Project.

Mr. Garman stated that the land acquisition is a difficult process; however, progress is being made. Mr. Garman stated that C. R. Keever Company, Inc. has completed and turned in all of the negotiator's packets on time, while Richard Farmer is still working on the easements from AMREP and the Village of Corrales.

Mr. Garman stated that agreements have been completed with five owners, for a total of 13 parcels and two owners (2 parcels) are in the process of completion. Mr. Garman stated that in the condemnation process one owner (1 parcel), SSCAFCA is waiting on the mandatory 25 day three appraiser process letter; 15 owners (19 parcels) are in the condemnation process with Mr. Metzgar and six owners (eight parcels) have been filed in District Court.

Mr. Garman stated that Easterling and Associates only provided services for two adjusted easements during the last month.

2. Section 14 Project.

Mr. Garman stated that the contract has been awarded with a Notice to Proceed dated October 7, 1994. The construction period will be between October 7, 1994 to March 6, 1995.

Mr. Garman stated that a counteroffer was made to a property owner, with no response as of this date.

3. Lomitas Negras Arroyo Bank Stabilization Project.

Mr. Garman stated that the bid opening was September 30, 1994 with one bidder only. It was rejected as it was 57% over the Engineer's estimate.

Mr. George Nemeth of Leedshill-Herkenhoff stated that alternatives need to be explored to attempt to bring the cost down to the monies that are available for this project. There was a brief discussion by the Board members as to alternate possibilities for the Lomitas Negras Arroyo Project.

4. Risk Management Insurance.

Mr. Garman stated that he spoke to Risk Management and it will insure SSCAFCA. A quote will be sent to SSCAFCA as soon as the Assistant Director returns from vacation.

CHAIRMAN'S REPORT.

1. Drainage Policy.

John Chaney stated that the Village of Corrales requested a joint meeting between the Village of Corrales Council and the SSCAFCA Board either November 10, 1994 or November 15, 1994.

There was a brief discussion by the Board members.

A motion by Guy McDowell, seconded by Dub Yarbrough, to schedule a meeting with the Village of Corrales Council on November 10, 1994 at 7:00 p.m. at SSCAFCA's office or a place to be determined by SSCAFCA to review SSCAFCA's Drainage Policy passed unanimously.

Mr. Chaney instructed Bob Garman to send a letter to the Village of Corrales of the Board's decision and request the appropriate employees be present.

2. Reappropriation of \$500,000 Bond Money.

Mr. Chaney requested discussion by the Board on reappropriation of monies since the Corps of Engineers did not do the feasibility study that was appropriated for \$500,000.

There was a brief discussion by the Board.

It was the consensus of the Board to leave the money unappropriated at this time.

3. Flowers for Annette Jones.

It was the consensus of the Board to individually donate money for flowers for Annette Jones, who is in the hospital.

4. Memorial for John Werner.

John Chaney announced that the Corrales Watershed District is planning to dedicate the bridge in John Werner's memory October 22, 1994 at 10:30 a.m.

OTHER BUSINESS.

None.

DIRECTORS COMMENTS.

Dub Yarbrough stated that he believed another engineer should be hired to look at the designed pipeline proposed between Dams 4 & 1 as there has to be a better way. Mr. Yarbrough stated that he strongly feels that Chuck Easterling is defending his design, which is understandable. However, he believed his charts are misleading and if you go out and walk this area, you can see there are other possibilities.

Guy McDowell feels that SSCAFCA got the best of a bad deal.

Bill Joiner stated that he also believed that SSCAFCA still needs to have someone else look at the design between Dams 4 & 1 as he feels that there is a more feasible way.

There was further discussion and it was the consensus of the Board that there is still sufficient time to reevaluate the alignment between Dams 4 & 1. Mr. Chaney stated that this item will be on the agenda again for the next regular Board meeting.

Mr. Joiner asked Mr. Garman who was going to pay for the redesign or changes of the Lomitas Negras Project. Mr. Garman stated that this has not been discussed yet.

**PUBLIC FORUM.**

None.

**MOTION FOR CLOSED SESSION.**

A motion by Dub Yarbrough to go into closed session for the purpose of discussing property negotiations with a Dams 1 & 4 property owner was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; Guy McDowell, yes; Bill Joiner, yes; John Chaney, yes. Motion passed 4 to 0.

The Board went into closed session at 4:21 p.m.

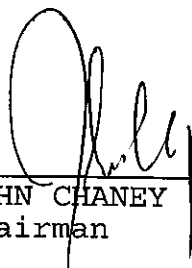
**RESUMPTION OF OPEN SESSION.**


The Board reconvened into open session at 4:45 p.m.

John Chaney stated that the Board discussed continued negotiations with a property owner.

**ADJOURNMENT.**

A motion by Dub Yarbrough, seconded by Bill Joiner, to adjourn the meeting was passed unanimously. Meeting adjourned at 4:46 p.m.

  
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JOHN CHANEY  
Chairman

  
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BILL R. JOINER  
Secretary

Date Approved Nov. 22, 1994