

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JANUARY 17, 1995
REGULAR BOARD OF DIRECTORS

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Chairman John Chaney at 1:03 p.m.

Directors in attendance were John Chaney, Dub Yarbrough, James Dorn, Bill Joiner and Annette Jones. 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.

John Chaney requested adding under Chairman's Report a resolution regarding ownership of Dam #1 and discussion of the proposed MOA from Corrales on the Drainage Plan.

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

APPROVAL OF MINUTES OF DECEMBER 13, 1994.

Annette Jones stated that a correction needed to be made on page 2, paragraph 1, line 4, delete the word "main" and on page 3, item 3, line 1, spell out JPA.

A motion by Annette Jones, seconded by Bill Joiner, to approve the minutes of December 13, 1994 as amended, passed unanimously.

SECRETARY'S REPORT.

None.

OFFICE SUBCOMMITTEE REPORT.

Mr. Garman stated that he and Dub Yarbrough discussed the possibility of moving the office and that nothing was available in the local area that was within SSCAFCA's budget.

Mr. Garman feels that it would be beneficial for the committee to look at AMAFCA's new building and discuss the possibility of a building for SSCAFCA.

LEGAL COUNSEL REPORT.

1. Resolution 1995-4 Political Advertisements.

Mr. Metzgar presented Resolution 1995-4, Political Advertisements, as requested by the Chairman.

A motion by Bill Joiner to approve Resolution 1995-4, Political Advertisements as presented, was seconded by Dub Yarbrough. There was a discussion by the Board on the motion. Annette Jones called for the question. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, no; John Chaney, yes. Motion passed 4 to 1.

LOMITAS NEGRAS PROJECT UPDATE.

George Nemeth, project engineer at Leedshill-Herkenhoff, presented a revised construction plan which brings the total projected cost lower.

There was a discussion by the Board but no action was taken or required.

TREASURER'S REPORT.

1. Approve Expenditures 12/1/94-12/31/94.

Motion by Annette Jones, seconded by Bill Joiner, to approve the

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reported expenditures of 12/1/94-12/31/94 as presented, carried unanimously.

2. Approve Treasurer's Report 12/31/94.

Motion by Annette Jones, seconded by James Dorn, to approve the treasurer's report of 12/31/94 as presented, carried unanimously.

3. Audit Report.

Motion by Annette Jones, seconded by Dub Yarbrough, to approve the audit, passed unanimously.

4. Resolution 1995-5, Budget Line Item Adjustment.

Annette Jones presented and read Resolution 1995-5 Budget Line Item Adjustment.

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve Resolution 1995-5 Budget Line Item Adjustment, passed unanimously.

5. Change of Banks.

Annette Jones stated that it had been brought to her attention various problems that SSCAFCA was currently having with Norwest Bank. After presenting these problems to the Board, Mrs. Jones requested permission to move the office account, bond account and debt service account to First Security Bank.

A motion by Dub Yarbrough, seconded by Bill Joiner, to take the necessary steps and change the accounts from Norwest Bank to First Security Bank, passed unanimously.

TREE FARM/URBAN POND PROJECTS STATUS.

Richard Farmer presented a brief status update to the Board on behalf of the Flood Commissioner on the Tree Farm/Urban Pond projects.

EXECUTIVE ENGINEER'S REPORT.

1. Dams 1 & 4 Project.

Mr. Garman gave an update on the Dams 1 & 4 Project and stated that a land acquisition negotiation update will be discussed in closed session.

Mr. Garman stated that the design engineer has not done any tasks for SSCAFCA since the last meeting.

Regarding the realignment across the west end of Parcel 2-7, Mr. Garman recommended that the Board pass a motion accepting the realignment.

A motion by Annette Jones, seconded by James Dorn, to change the alignment as recommended passed unanimously.

2. Section 14 Project.

Mr. Garman stated that Site 1 at Southern is almost complete and all of the gabions at Site 2 are finished and the contractor has begun to do some earthwork. Construction should be completed by the middle of February, almost a month ahead of schedule.

3. Risk Management Insurance.

Mr. Garman stated that a quote has been received from Risk Management on the coverage it can provide and that it had been reviewed by Mr. Metzgar.

Mr. Garman recommended that coverage for civil rights and foreign jurisdiction insurance be obtained from Risk Management.

A motion by Annette Jones, seconded by Bill Joiner, to obtain civil rights and foreign jurisdiction insurance from Risk Management, passed unanimously.

4. PERA.

Mr. Garman stated that SSCAFCA's application to PERA should be presented at PERA's January 26, 1995 board meeting.

5. Vehicle.

Mr. Garman stated that the order for the Bronco was placed December 16, 1994, with delivery in 60 to 90 days.

6. Video Equipment.

Mr. Garman stated that Mr. Metzgar recommended that SSCAFCA video tape the condemned parcels that may not be settled as it will help in court rather than a jury view. Mr. Garman also stated that such video equipment could help for presentations to the Board.

The consensus of the Board is that Mr. Garman have quotes for the equipment necessary for the next Board meeting.

7. Appraiser RFP.

Mr. Garman stated that the deadline for the Appraiser RFP is February 1, 1995. James Dorn and Bill Joiner volunteered to be on the selection committee.

8. Resolution 1995-6, Designation of Legal Holidays.

Mr. Garman presented Resolution 1995-6, Designation of Legal Holidays.

A motion by James Dorn to approve Resolution 1995-6, Designation of Legal Holidays, was seconded by Annette Jones. Roll call vote: Dub Yarbrough, abstain; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 4 to 0 with one abstention.

9. Dams 1 & 4 Project - Possible Siphon Process.

Mr. Garman recommended that further discussion and review of the possible siphon process for the Dams 1 & 4 Project, discussed at a previous meeting, be terminated. Various reasons were given for this recommendation: the cost that has been expended to-date, the fact that it is very late in the process, that it would cost additional money for hiring of the necessary consulting engineers, etc.

No action was taken by the Board.

CHAIRMAN'S REPORT.

1. Financial Appropriations at Legislature.

John Chaney stated that the Board should pursue appropriations from the State legislature to assist with the projects/proposed projects SSCAFCA is involved in.

Annette Jones stated that funds should be requested for a feasibility study on the Venada Arroyo, construction funds for completion of the Urban Ponds/Tree Farm Projects and a feasibility study of going from Dam 4 straight to the channel. John Chaney proposed requesting funds for the completion of Phase II of the Dams 1 & 4 Project.

There was a discussion by the Board.

A motion by Annette Jones for SSCAFCA to approve a resolution requesting funds for an impact and feasibility study of the Venada Arroyo to allow future development in the amount of \$60,000 was seconded by Dub Yarbrough.

John Chaney requested that the amount be amended to \$40,000 as recommended by the Executive Engineer. Mrs. Jones agreed to the amendment and it was seconded by Dub Yarbrough. The motion passed unanimously.

It was the consensus of the Board to wait until next year to request funding for the Urban Ponds/Tree Farm Projects.

A motion was then made by James Dorn to include in the resolution a request for additional funds in the amount of \$950,000 to complete Phase II of the Dams 1 & 4 Project was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 5 to 0. Mr. Metzgar was instructed to draft a resolution immediately in conformance with these motions and for signing by the Chairman.

2. Future Ownership of Dams 1 & 4.

John Chaney requested that the Board adopt resolution regarding ownership of Dams 1 & 4.

There was a discussion by the Board regarding the ownership issue and repairs that would need to be done. It was the consensus of the Board that change in ownership occur after the completion of the Dams 1 & 4 Project. The repairs and standards required by SSCAFCA are:

Dam #1: sediment removal, tree removal, construction of culvert splash pads, construction of trash rack and harden emergency spillway.

Dam #4: sediment removal, tree removal, construction of trash rack and harden emergency spillway.

A motion by Annette Jones, seconded by Bill Joiner, to approve a resolution that SSCAFCA agrees to assume ownership of Dams 1 & 4 in the future subject to the requirements that the Dams be brought up to State Engineer's standards and the standards required by SSCAFCA, passed unanimously.

Mr. Metzgar was instructed to draft a resolution immediately in conformance with the motion and for signing by the Chairman.

3. Village of Corrales - Memorandum of Understanding on Drainage Policy.

John Chaney stated that the majority of the problems found with the proposed MOA revisions that Corrales wrote was the designee problem.

John Chaney stated that a meeting was held last week with Mayor Kanin, Bob Garman and himself regarding the MOA. Mr. Chaney proposed to Mayor Kanin that the Village of Corrales voluntarily submit applications for development to SSCAFCA for non-binding review and the Board would then go along with further negotiations on the MOA. As of this meeting, Mr. Chaney reported that no reply had been received from the Village.

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There was a discussion by the Board as to what steps to take next.

At this point John Chaney called the Village of Corrales to see if the suggested interim solution has gone before the Council. Mr. Chaney talked to Phil Rios, Village Manager, who stated that it would be an agenda item at the January 24, 1995 meeting.

It was the consensus of the Board for Bob Garman to let Mr. Metzgar know the results of the Village of Corrales council meeting on this issue in order for Mr. Metzgar to research what alternatives could be pursued in court.

OTHER BUSINESS.

None.

DIRECTORS COMMENTS.

None.

PUBLIC FORUM.

Bob McCormick, chairman of CWD, wanted to know the status of the proposed July 1, 1995 takeover of CWD by SSCAFCA.

John Chaney stated that the next step is the financial statement of capability, which should be completed by mid-February.

CLOSED SESSION.

A motion by Bill Joiner to go into closed session for the purpose of discussing property negotiations on the Dams 1 & 4 Project and

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personnel matters was seconded by James Dorn. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 5 to 0.

The Board went into closed session at 4:55 p.m.

RESUMPTION OF OPEN SESSION.

The Board reconvened into open session at 6:15 p.m.

1. Resolution 1995-7.

Mr. Metzgar requested that the Board vote on Resolution 1995-7, Legislative Request.

A motion by Annette Jones, seconded by Dub Yarbrough, to approve Resolution 1995-7, Legislative Request, passed unanimously.

2. Resolution 1995-8.

Mr. Metzgar requested the Board vote on Resolution 1995-8, Future Ownership of Dams 1 & 4.

A motion by Annette Jones, seconded by James Dorn, to approve Resolution 1995-8, Future Ownership of Dams 1 & 4, passed unanimously.

3. Personnel.

John Chaney stated that the personnel matter on Mr. Garman will be discussed at the next meeting.


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ADJOURNMENT.

A motion by Annette Jones, seconded by Bill Joiner, to adjourn the meeting was passed unanimously. Meeting adjourned at 6:20 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date approved Feb. 28, 1995