

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF MAY 16, 1995
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 1:07 p.m.

Directors in attendance were John Chaney, Dub Yarbrough, James Dorn 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.

Bob Garman stated that the closed session part with David Campbell for parcel 2-6 is being postponed until the June meeting.

A motion by Dub Yarbrough, seconded by James Dorn, to approve the agenda as amended, carried unanimously.

APPROVAL OF MINUTES OF APRIL 25, 1995.

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the minutes of April 25, 1995 as written and presented, passed unanimously.

SECRETARY'S REPORT.

None.

LEGAL COUNSEL REPORT.

Mr. Metzgar stated that the majority of his report pertains to the closed session.

1. Tapes of Meetings.

Mr. Metzgar again suggested that a policy be initiated regarding the keeping of tapes of Board meetings. No action was taken.

2. Resolution 1995-12, Vehicle Policy.

Mr. Metzgar presented Resolution 1995-12.

A motion by James Dorn, seconded by Dub Yarbrough, to approve Resolution 1995-12, Vehicle Policy, passed unanimously.

3. O & M Contract.

Mr. Metzgar stated that as previously discussed, SSCAFCA was looking to enter into an O & M contract with Rick Eldridge on the same terms which Corrales Watershed District has with him.

Mr. Metzgar presented a letter contract for the Board's approval from Mr. Chaney to Mr. Eldridge for periodic O & M.

Annette Jones arrived at 1:13 p.m.

A motion by Dub Yarbrough, seconded by James Dorn, to enter into the letter O & M Contract with Rick Eldridge on an interim basis, passed unanimously.

4. Update on CWD Transfer to SSCAFCA.

Mr. Metzgar stated that a meeting was held in Santa Fe with DFA personnel on the process required to dissolve the Corrales Watershed District. He reported that it would not require DFA approval but they wanted copies of all Resolutions, transfer documents, etc.

5. Easterling & Associates Contract.

Mr. Metzgar stated that the Board had discussed briefly Supplemental Agreement #4 with Easterling & Associates for construction management of Dams 1 & 4 Phase I only. After his review, he has signed his approval as to form of the supplemental agreement.

After a brief discussion, a motion by Dub Yarbrough, seconded by Bill Joiner, to approve Supplemental Agreement #4, construction

management for Dams 1 & 4 Phase I only with Easterling & Associates passed unanimously.

TREASURER'S REPORT.

1. Approval of Expenditures 4/1/95-4/30/94.

Motion by Dub Yarbrough, seconded by James Dorn, to approve the reported expenditures of 4/1/95-4/30/95 as presented, carried unanimously.

2. Approval of Treasurer's Report of 4/30/95.

Motion by Bill Joiner, seconded by James Dorn, to approve the treasurer's report of 4/30/95 as presented, carried unanimously.

EXECUTIVE ENGINEER'S REPORT.

1. Dams 1 & 4 Outfall Project.

Mr. Garman stated that there are three properties still pending in Phase I.

Ten of the twelve appraisal updates on parcels requested have been received. The remaining two parcels should be delivered Wednesday, May 17, 1995. Mr. Garman stated that Howden and Associates will be docked ten per cent on the bill for the two late appraisals.

Mr. Garman stated that Bernie Metzgar and him appeared before Judge Brown on Parcel 4-2 for a permanent order of entry. Judge Brown granted a sixty day continuance in order to see if an agreement could be worked out.

2. Section 14 Project.

Mr. Garman stated that Mr. Metzgar relayed the Board's offer for Mr. Ignacio's property (High Knoll) to his lawyer. As of this date, no reply has been received.

3. Lomitas Negras Project Update.

Mr. Garman reviewed the status of the construction schedule and stated that the contractor was on schedule.

There was a brief discussion on the construction status.

4. Tree Farm and Urban Ponds Project.

Mr. Garman stated that since the last Board meeting, he found out that a project called Sara's Meadow-Corrales South is being proposed across from the Tree Farm Pond. This project calls for temporary metered ponds releasing water onto Meadowlark Lane, with the water eventually going into the Tree Farm Pond as a permanent remedy. Upon checking with Mr. Losack, it was determined that the Tree Farm Project design is not designed to take the additional water. Mr. Garman called Mr. Fossenier and, as of today, the Planning and Zoning Committee has postponed a decision on this project.

It was the consensus of the Board to write a letter to the City of Rio Rancho, with a copy to the Village of Corrales, requesting that the drainage plans for Sara's Meadow-Corrales South be submitted to SSCAFCA for approval of the drainage and any other drainage plans for the area around Dam #4.

5. CWD Transfer to SSCAFCA.

Mr. Garman stated that U.S. West will be reseeding the unauthorized road in June, 1995. This is the road that a U.S. West contractor bladed by mistake.

Mr. Garman stated that Rick Eldridge was authorized by CWD to do the remaining joint repairs on the Harvey Jones Channel.

6. Special Budget Meeting.

The budget committee will meet Tuesday, May 23, 1995 at 10:00 a.m.

It was the consensus of the Board to have a special meeting May 30, 1995 at 9:00 a.m. for approval of the budget and other matters that may come before the Board.

7. Insurance.

Mr. Garman stated that private insurers will be giving SSCAFCA a quote for civil rights and foreign jurisdiction and liability insurance soon.

8. FEMA Meeting.

Mr. Garman reminded the Board that the FEMA meeting will be Thursday, May 19, 1995 at 1:30 p.m. in the south conference room at Rio Rancho City Hall. James Dorn and Dub Yarbrough agreed that they will be representing SSCAFCA.

Mr. Metzgar reminded the Board that he feels that more than two members may attend such a meeting that is just for discussion only and that it would not be a meeting of the Board of Directors.

9. On Call Appraisers.

Mr. Garman stated that the on call appraisers are on contract now.

10. Building Rental.

Mr. Garman stated that the building lease has expired and SSCAFCA is on a month to month basis. The landlord wants a 5% increase and a three year lease plus SSCAFCA would pay its own electric and gas utilities. A decision must be reached today.

There was a discussion by the Board as to the options open to SSCAFCA for space rental. Mr. Metzgar suggested that the Board request a one year lease that can be renewed until further options can be reviewed.

It was the consensus of the Board to request a one year lease. The property manager was called and asked to attend the meeting.

11. Video Equipment.

Mr. Garman stated that the camcorder previously approved has been discontinued and new models should be received by the stores in the next couple of weeks. He will look into the new models.

CHAIRMAN'S REPORT.

Ditch and Water Safety Program.

John Chaney stated that the Board needs to make a decision on a donation to the Ditch and Water Safety Program.

There was a brief discussion by the Board.

A motion by Bill Joiner to donate \$1,000 to the Ditch and Water Safety Program was seconded by Annette Jones. Roll call vote: Dub Yarbrough, abstain; James Dorn, yes; Bill Joiner, yes; Annette Jones, abstain; John Chaney, yes. Motion passed 3 to 0 with two abstentions.

BUILDING SPACE RENTAL.

Ms. Judy Harrison, property manager for Lincoln Plaza, arrived at the meeting.

John Chaney presented the Board's decision of requesting renewal of the lease for a year to Judy Harrison. Ms. Harrison stated that she would have to confer with the property owner.

Mr. Chaney requested that Ms. Harrison let Mr. Garman know the decision of the property owner by the special Board meeting scheduled for May 30, 1995.

PUBLIC FORUM.

None.

MOTION FOR CLOSED SESSION.

A motion by Annette Jones to go into closed session for the purpose of discussion of property negotiations, personnel and legal matters related to pending cases 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.

The Board went into closed session at 3:12 p.m.

RESUMPTION OF OPEN SESSION.

The Board reconvened into open session at 4:35 p.m.

John Chaney stated that no official action was taken on personnel or on the Dams 1 & 4 project. There was discussion only.

DIRECTOR'S COMMENTS.

Dub Yarbrough stated that he believes that the Board has been remiss in relaying what is exactly expected of Mr. Garman. In view of that, he stated that he would withdraw all of his objections at this time. He stated that the Board is going to have to prepare a guideline of what exactly is expected of Mr. Garman with specific recommendations.

Mr. Chaney stated that Mr. Garman's six month evaluation will be delayed until the July 18, 1995 meeting.

Annette Jones stated that she thought part of the problem is that policies have not been prepared by Mr. Garman and a daily log has never been seen by any Board member.

Dub Yarbrough requested that Mr. Garman contact the City of Albuquerque to get further information on lift stations for possible use on Phase II of the Dams 1 & 4 Outfall Project. Specific lift stations are at Broadway between Mountain and Lomas, Alameda and Rio Grande Blvd., and Paseo Del Norte and Rio Grande Blvd.

Mr. Metzgar left at 4:41 p.m.

There was a brief discussion of the lift stations by the Board as they may relate to Phase II of the Dams 1 & 4 Outfall Project.

Annette Jones proposed contacting MRGCD in regard to taking the water from Dam #4 directly to the canal. Mr. Chaney requested that

Mr. Garman contact MRGCD regarding this possibility and bring this information back to the Board.

Annette Jones questioned why Mr. Garman did not attend the COE conference in Dallas, Texas.

ADJOURNMENT.

A motion by Dub Yarbrough, seconded by Bill Joiner, to adjourn the meeting passed unanimously. Meeting adjourned at 4:50 p.m.

for Wm. C. Yarbrough
JOHN CHANEY / VICE CHAIRMAN
Chairman

Bill R. Joiner
BILL R. JOINER
Secretary

Date Approved *June 20, 1995*