

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF DECEMBER 10, 1996
REGULAR BOARD OF DIRECTORS MEETING

CALL TO ORDER.

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

Directors in attendance were John Chaney, James Dorn, Bill Joiner, Annette Jones and Dub Yarbrough. A quorum was declared present. Staff members present were Bob Garman, Executive Engineer and Pam McGrath, Administrative Secretary.

APPROVAL OF AGENDA.

A motion by Dub Yarbrough, seconded by James Dorn, to add personnel matters to the closed session, passed unanimously.

APPROVAL OF MINUTES OF NOVEMBER 19, 1996.

A motion by Annette Jones, seconded by James Dorn, to amend the minutes of the regular meeting of November 19, 1996, page 4, line 19 to read "talk to Dr. Anderson and Mr. Chavez, Jr.", passed unanimously.

SECRETARY'S REPORT.

None.

AMEND APPROVED AMENDED AGENDA.

A motion by Annette Jones, seconded by James Dorn, to amend the amended agenda to include Bond Counsel report as item 3A, passed unanimously.

BOND COUNSEL REPORT.

Bob Strumor of Hughes and Strumor, bond counsel, presented Resolution 1996-15, Resolution and Proclamation of Special Flood Control Bond Election and Notice of Board Meeting. He stated in general that this

Resolution authorizes a special bond election on June 17, 1997 to approve up to seven million dollars in general obligation bonds.

There was a brief discussion by the Board.

A motion by James Dorn to approve Resolution 1996-15, subject to minor modification, was seconded by Annette Jones. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

TREASURER'S REPORT.

1. Letter From Office of the State Auditor.

Mr. Dorn stated that a letter was received from the Office of the State Auditor that SSCAFCA's audit report was received by its office December 1, 1996 and that SSCAFCA is authorized to make final payment to the contractor.

2. Approval of Audit for FY/96.

A motion by John Chaney, seconded by Annette Jones, to approve the FY/96 audit report, passed unanimously.

LEGAL COUNSEL REPORT.

1. Per Diem Issue.

Mr. Metzgar reported the per diem issue in the November election does not affect the per diem for Board members. It only affected the legislators.

2. Statute Corrections.

Mr. Metzgar reported that he talked to Larry Blair of AMAFCA regarding the tax certification date that is in SSCAFCA's statute, 72-19-22I. He stated that AMAFCA's statute now states the same tax certification date as SSCAFCA's which is the 15th day of July of each year and he does not know why it was changed from the first Monday in September of each year. Mr. Blair is going to try to find the reason that AMAFCA's date was changed and let Mr. Metzgar know.

Mr. Blair told Mr. Metzgar that he felt that the changes that AMAFCA wants in its statute would probably not be addressed at this legislative session as the legislative agenda is full of other issues. Mr. Blair feels that the best time to go to the Legislature would probably be in two years and he suggested that maybe SSCAFCA would also go at that time and they could present a united effort.

3. Excess Lots.

Mr. Metzgar stated that he is in the process of acquiring the information that DFA needs. DFA requires the history of the acquisition, the present value and reasons for sale along with other information. Mr. Metzgar stated that CWD acquired the excess lots because the bridge was originally going to be put in that area. However, it was later decided to move the bridge over one street. As soon as all the information is acquired, he will write to DFA requesting approval of sale of excess lots.

4. Approval of Resolution 12.12.96 by Sandoval County Commission For The Transfer of Southern Sandoval County Flood Commissioner's Projects, Properties and Funds.

Mr. Metzgar read Resolution 12.12.96 from the Sandoval County Commission which requires that SSCAFCA sign as to its approval. This Resolution officially turns over all property, projects and funds from the Sandoval County Flood Commissioner to SSCAFCA. Mr. Metzgar stated that he had one exception to the wording that SSCAFCA is statutorily responsible for all flood control in the district. He stated that this is not completely true since there are other entities that have control within their boundaries, but he didn't have a problem with the Board accepting this Resolution.

A motion by Annette Jones to have Mr. Yarbrough sign Resolution 12.12.96 accepting the property, projects and funds from the Sandoval County Flood Commissioner was seconded by James Dorn. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

5. Use of SSCAFCA Property For Trails.

The Board questioned Mr. Metzgar as to whether SSCAFCA's property in the Dams 1 & 4 Outfall Project could also be used for trails. Mr. Metzgar stated that most of the property acquired by SSCAFCA on the Dams 1 & 4 Project was permanent easements only and could not be used for anything else but what it was acquired for. He suggested that for future projects, all land be taken in fee simple if at all possible. That way, SSCAFCA could use the property for additional purposes.

EXECUTIVE ENGINEER'S REPORT

Mr. Garman introduced Kirsty Arias the new reporter with The Observer, who will be attending SSCAFCA's meetings.

1. Dams 1 & 4 Outfall Project.

Mr. Garman stated that a probable hearing date for parcel 6-4 (Colborne) will be in January 1997.

Mr. Garman stated that Easterling and Associates is still working on Budagher's road and Dam 1 geotech and hydrographs.

He stated that SHIPO now requires two sites need further study. One requires equipment and the other requires a more thorough surface investigation.

2. Tree Farm Pond Project.

Mr. Garman stated that the Village of Corrales easements have been recorded and the construction contract has been awarded. A preconstruction conference was conducted and work is to start January 1997 and will be substantially done by February 28, 1997 and totally completed by March 15, 1997.

Mr. Garman stated that he is unable to attend the Sandoval County Commission meeting December 12, 1996. It was the consensus of the Board to have Mr. Metzgar attend the Sandoval County Commission meeting on December 12, 1996 in case there are any questions that need to be answered. Mr. Yarbrough stated that he would attend also.

3. Urban Ponds Project.

Mr. Garman stated that he talked to Dan Aguirre of Wilson & Company regarding the contract that needs to be renewed.

He stated that SSCAFCA does not have the funds to cover the entire project, but he feels there should be enough money to build a structure from the outlet to the ditch.

It was the consensus of the Board for Bob Garman to pursue the possibility of doing a portion of the Urban Ponds Project and have cost estimates by the next meeting. Mr. Metzgar will look into the possibility of just doing a change order for that portion with the

Contractor that is doing the Tree Farm Ponds project.

4. Harvey Jones Inlet Cleaning.

Mr. Garman stated that SSCAFCA should plan on cleaning out the inlet basin before the next rainy season. The initial survey has been completed and approximately 10,000 cubic yards should be removed. He is working with the surveyor on the best excavation dimensions.

5. HJC/LN Transition Joint.

Mr. Garman stated that a meeting is scheduled with Greg Cunningham and Mark Butler of NRCS December 17, 1996 for further analysis on the transition joint repair.

6. Maintenance.

Mr. Garman stated that John Campbell has constructed a rundown in the vicinity of the John Werner Bridge, cleaned Drainage B apron, inventoried signs to be replaced, removed small trees in DCL basin and picked up guardrails from the State Highway Department.

7. Excess Land.

Mr. Garman stated that he presented the offer to Dr. Gross's local representative, Mr. Mares. A meeting was held with Mr. Corsie of Rio Rancho and he seemed quite positive about the rezoning of the lots as long as it was done all at one time. Within the next two months, Mr. Mares is to complete and submit to the P&Z Committee the proposal for rezoning.

Mr. Yarbrough questioned if the excess lots had to be sold at the appraised value as he had a listing of lots in that area and the majority were sold at \$15,000 to \$23,000. Mr. Metzgar stated that there were some lots that had drainage problems which may make those lots worth less than the appraised value. However, Mr. Metzgar said that DFA may be reluctant to allow property to be sold at less than the appraised value. In one of Mr. Metzgar's recent conversations with DFA's attorney, he was told that the more information you can supply the better it is when seeking approval.

8. Old Lease - Barbara Loop.

Mr. Garman questioned the status of this matter and was told by John Chaney and Bill Joiner that a meeting with the owners has not yet been scheduled.

CHAIRMAN'S REPORT.

1. Preconstruction Meeting - Tree Farm Project.

Dub Yarbrough stated that at the preconstruction meeting on the Tree Farm Pond project all people involved were present except for the City of Rio Rancho and the Village of Corrales. Cyndie Tidwell came in an hour late and immediately stated that a trail was needed along the dam site. Intel is not in favor of a trail in this area. Ms. Tidwell did not have anything positive to say about the business at hand. She stated that she had not received the dam burst analysis on the Project nor a copy of the construction plans. Mr. Yarbrough stated that Mr. Garman hand carried these documents to Mr. Rios and the Village Engineer, Tom Blaine, so that she can get a copy from them.

2. Condolence Card for Mayor Kanin.

Staff was instructed to send a sympathy card to Mayor Kanin expressing sympathy on the death of his mother.

3. Special Organization Meeting.

Mr. Yarbrough reminded the Board of the special organizational meeting on Thursday, January 2, 1996 at 1:00 p.m.

DIRECTORS COMMENTS.

None.

PUBLIC FORUM.

Bob McCormick recommended that signatures should be obtained when issuing plans or reports to other entities and/or person(s). In this way they could not claim that they did not receive them.

Director-Elect Guy McDowell stated that at some of the meetings he attended in Corrales the main item of discussion was trails. He said that a wish list of trails is being put together by the Village. There was a brief discussion regarding trails.

CLOSED SESSION.

A motion by John Chaney to go into closed session for the purpose of discussion of property negotiations, pending litigation and personnel was seconded by James Dorn. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

The Board went into closed session at 2:50 p.m.


RESUMPTION OF OPEN MEETING.


The Board reconvened into open session at 4:10 p.m.

Dub Yarbrough stated that no official action was taken.

ADJOURNMENT

A motion by Annette Jones, seconded by John Chaney, to adjourn the meeting was carried unanimously. Meeting adjourned at 4:10 p.m.


WM. C. "DUB" YARBROUGH
Chairman


BILL R. JOINER
Secretary

Date Approved 1/21/97