

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF JANUARY 16, 1996
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 1:00 p.m.

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

Dub Yarbrough requested moving the election of officers after the Executive Engineer's report.

Mr. Garman stated that the Tree Farm Pond Projects needs to be moved as that is part of his report.

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

Bill Joiner and James Dorn arrived at 1:02 p.m.

RESOLUTION 1996-1, ESTABLISHING NOTICE OF MEETINGS; RESOLUTION 1996-2, DESIGNATION OF OFFICIAL NEWSPAPER(S); RESOLUTION 1996-3, DESIGNATION OF LEGAL HOLIDAYS.

A motion by Annette Jones to approve Resolutions 1996-1, Establishing Notice of Meetings; Resolution 1996-2 Designation of Official Newspaper(s); and Resolution 1996-3, Designation of Legal Holidays 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.

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APPROVAL OF MINUTES OF DECEMBER 12, 1995.

A motion by Annette Jones, seconded by Bill Joiner, to approve the minutes of December 12, 1995 as written and presented, passed unanimously.

SECRETARY'S REPORT.

None.

LEGAL COUNSEL REPORT.

Corrales Watershed District Transfer Update.

Bernard Metzgar stated that Corrales Watershed District was in the process of preparing a plat of all property owned by CWD, which will be recorded. It is anticipated that this will be completed and approved by CWD at its January 22, 1996 Board meeting. At that time, a deed will be executed transferring all real property to SCAFCFA. A bill of sale will also be executed transferring all personal property to SCAFCFA.

Mr. Metzgar stated that resolutions will also be approved by CWD to transfer its CDs to SCAFCFA. The treasurers of CWD and SCAFCFA will need to go to the banks to complete the CD transfers.

Mr. Metzgar stated that if all of the documents were not completed at CWD's regular meeting, a special meeting will probably be held to complete the transfers.

TREASURER'S REPORT.

1. **Approve Expenditures 11/1/95-11/30/95.**

A motion by Annette Jones, seconded by Dub Yarbrough, to approve the reported expenditures of 11/1/95-11/30/95 as presented, carried unanimously.

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2. Approve Treasurer's Report 11/30/95.

A motion by Annette Jones, seconded by James Dorn, to approve the treasurer's report of 11/30/95 as presented, carried unanimously.

3. Approve Expenditures 12/1/95-12/31/95.

Dub Yarbrough requested that items that are not recurring monthly expenses be highlighted to bring them to the Board's attention.

A motion by Annette Jones, seconded by Dub Yarbrough, to approve the reported expenditures of 12/1/95-12/31/95 as presented, carried unanimously.

4. Approve Treasurer's Report 12/31/95.

A motion by Annette Jones, seconded by James Dorn, to approve the treasurer's report of 12/31/95 as presented, carried unanimously.

5. Approval of Audit for FY/95.

A motion by Annette Jones, seconded by Bill Joiner, to approve the FY/95 audit report, passed unanimously.

SUPPLEMENTAL AGREEMENT WITH EASTERLING & ASSOCIATES.

Mr. Garman presented Supplemental Agreement #5 with Easterling and Associates for \$5,000. He stated that the additional money is needed as there were unexpected expenses for realignment studies and for preparation of court exhibits.

There was a brief discussion by the Board.

A motion by Bill Joiner, seconded by James Dorn, to approve Supplemental Agreement #5 with Easterling & Associates for \$5,000, passed unanimously.

AMREP'S VENADA PROPOSAL UPDATE.

Mr. Castillo, Vice President of Engineering of AMREP, requested approval by the Board for the Venada Channel improvements in accordance with SSCAFCA's Drainage Policy.

Mr. Garman stated that the technical questions he asked in his letter to Mike Castillo of January 10, 1996 have not yet been answered.

John Chaney asked Mr. Garman if the technical issues involved are such that they should be resolved before the Board takes action. Mr. Garman stated that, in his opinion, the technical aspects need to be resolved before final approval of the project.

Mr. Garman stated that the way the Drainage Policy is set up, Board approval is not needed as it can be approved at his level. Once the technical issues have been resolved, he can approve the Venada project as long as it meets the Drainage Policy requirements.

A motion by Annette Jones to approve the Venada Channel plans subject to the Executive Engineer's approval that the plans meet SSCAFCA's Drainage Policy 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.

EXECUTIVE ENGINEER'S REPORT.

1. Bond Monies Report.

Mr. Garman stated that he wanted the Board to be informed of the bond money status. He stated that of the \$4 million bond issue, \$444,000 is uncommitted. The Northern Boulevard and Lomitas Negras Projects has been completed and a total of \$1.1 million dollars has already been spent on the Dams 1 & 4 Project.

2. Tree Farm Pond Project.

Mr. Monte Bingham of Cinfran Engineering on behalf of Boyle Development, requested permission from SSCAFCA to use the Tree Farm

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Pond. He stated that Boyle Development proposes building a portion of the new retention pond (Pond "A") in exchange for Sara Meadows Development being allowed to route stormwater into it. There was further discussion by the Board on Boyle Development building a portion of the Tree Farm Pond Project and SSCAFCA cost-sharing with them.

Johnny Losack stated that the old Tree Farm Pond will still have to be maintained until the new Tree Farm Pond is completed, including the outlets.

Mr. Garman stated that the engineering estimate for construction is \$427,865 plus approximately \$25,000 for bid packet finalization and construction management and the funds available are \$572,000.

Mr. Boyle of Boyle Development said that there may not be a problem with Boyle building the Tree Farm Pond, including the emergency spillway and stubouts, and cost sharing with SSCAFCA, with the reimbursement being done monthly based on the contractor's billing.

There was further discussion by the Board.

A motion by Annette Jones, seconded by Bill Joiner, to have Mr. Boyle and Monte Bingham submit an estimate to joint venture the project. Motion passed unanimously.

3. Urban Ponds Project.

There was a discussion regarding the Urban Ponds Project.

Mr. Garman stated that there is not a current design.

A motion by Dub Yarbrough, seconded by James Dorn, that a letter be written to Sandoval County stating that although SSCAFCA does not agree they are obligated to do so, they are willing to take both projects at their current status along with all funds from the Flood Commissioner and that SSCAFCA will do the Tree Farm Project at the earliest possible time after the land exchange has been completed between the County, AMREP and Viste Verde and will do the Urban Ponds Project as soon as funding is obtained. Motion passed unanimously.

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4. Dams 1 & 4.

Mr. Garman stated that nothing significant has happened since the last Board meeting. He said that the easements may be signed by the Village of Corrales at their January 23, 1996 meeting.

5. Section 14 Project.

Mr. Garman stated that the repairs have been completed and the claim has been submitted to the Corps of Engineers.

6. Harvey Jones Channel Maintenance.

Mr. Garman stated that all but three items have been corrected since the annual inspection.

7. Contract Renewals.

Mr. Garman reported that the contract renewal with the financial advisor, Southwest Securities, has been completed. He is in the process of renewing with the bond attorney, Hughes and Stromer.

Mr. Garman stated that Mr. Metzgar's contract expires March 31, 1996. He recommended to the Board that the RFP advertisement for legal counsel state that it is a one year contract, renewable annually for three additional years.

A motion by Bill Joiner, seconded by Annette Jones, that the advertising for legal counsel state that it is a one year contract renewable annually for three additional years. Motion passed unanimously.

8. Insurance.

Mr. Garman stated that only one quote was received for general liability coverage. Penco did not submit a quote, however, Manual Lujan Insurance submitted a quote of \$12,360 annually.

A motion by James Dorn, seconded by Annette Jones, to accept the quote from Manual Lujan Insurance Company for general liability coverage for \$12,360 annually passed unanimously.

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9. MRGCOG.

Mr. Garman stated that the next Board of Directors meeting for MRGCOG is February 8, 1996 at 2:30 p.m. He stated that it is not necessary for a Board member to be the alternate delegate and that he can also be named as an alternate delegate.

A motion by Annette Jones, seconded by Bill Joiner, to have Mr. Garman notify MRGCOG that the Board has also appointed him as an alternate passed unanimously.

10. Facilities.

Mr. Garman stated that an end table and chairs were purchased for the reception area. He requested direction from the Board if they wanted a new conference table and chairs.

It was the consensus of the Board to have staff look into the purchase of a new conference table and chairs.

11. Bond Projects.

The Board directed Mr. Garman to have John Archuleta from Southwest Securities at the next Board meeting to discuss a bond issue.

12. Personnel Policy.

Mr. Garman gave the Board a list of items that he feels should be covered first in the office/personnel policy. He stated that the vehicle policy should also be included in the office/personnel policy.

Mr. Garman stated that a preliminary draft of those items will be presented at the next Board meeting.

CHAIRMAN'S REPORT.

Mr. Chaney stated that during the closed session Mr. Garman's contract needs to be discussed.

ELECTION OF OFFICERS.

See attached separate set of minutes of this same date for the election of officers.

PASSING OF THE GAVEL.

John Chaney passed the gavel to Dub Yarbrough, the new Chairman.

OTHER BUSINESS.

1. Caller ID.

Dub Yarbrough recommended that caller ID should be added to SSCAFCA's telephone. Staff was instructed to pursue this.

2. Highlighting Non-Recurring Monthly Expenses.

Dub Yarbrough again requested that items that are not recurring monthly expenses be highlighted to bring them to the Board's attention.

3. Building Lease.

Mr. Yarbrough asked whether the negotiation on cleaning clause in the lease and the glass door has been worked out with the Lessor. Mr. Garman stated that he still working on this problem.

4. Board Member Phone Numbers.

Staff was instructed not to give out individual home telephone numbers, but to take a message and pass it on to the Board member involved.

CLOSED SESSION.

A motion by Annette Jones to go into closed session for the purpose

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of discussion of property negotiations and personnel was seconded by John Chaney. Roll call vote: James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes; Dub Yarbrough, yes.

The Board went into closed session at 4:17 p.m.

RESUMPTION OF OPEN SESSION.

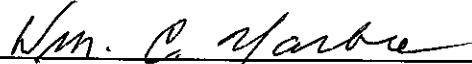
The Board reconvened into open session at 5:11 p.m.

Dub Yarbrough stated that there were no decisions made on property negotiations.


Mr. Yarbrough stated that the Board was prepared to make the following offer to Mr. Garman: 1) Fifteen month contract with one year renewable; 2) 2% salary increase in first year, 3% the second year; 3) 2% COLA first year; 4) 50% of Board approved family health plan; 5) plus provisions of old contract. COLA for second year to be determined when data becomes available. No special meeting will be needed if Mr. Garman is agreeable to the terms. Mr. Garman stated that he would get back to Mr. Yarbrough.

ADJOURNMENT.

A motion by John Chaney, seconded by Annette Jones, to adjourn the meeting passed unanimously. Meeting adjourned at 5:15 p.m.



Wm. C. Yarbrough
Chairman



BILL R. JOINER
Secretary
Date Approved Feb. 20, 1996

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
BOARD OF DIRECTORS MEETING
JANUARY 16, 1996, 1:00 P.M.**

The Board of Directors of Southern Sandoval County Arroyo Flood Control Authority ("SSCAFCA") met in open regular session at SSCAFCA's office, 1400 Barbara Loop SE, Suite E, Rio Rancho, New Mexico, on Tuesday, January 16, 1996 at 1:00 p.m.

Roll Call of the Board Members:

John Chaney	-	PRESENT
W. C. Yarbrough	-	PRESENT
Bill R. Joiner	-	PRESENT
Annette H. Jones	-	PRESENT
James M. Dorn	-	PRESENT

Thereafter, the following proceedings, among others, were had and taken.

1. Director Annette Jones nominated John Chaney to serve as Chairman. Director Bill Joiner seconded the nomination. Director James Dorn nominated W.C. Yarbrough to serve as Chairman. Director Annette Jones seconded the nomination. There were no further nominations. A secret ballot was held and Director W.C. Yarbrough was elected to serve as Chairman.

2. Director Annette Jones nominated John Chaney to serve as Vice Chairman. Director Bill Joiner seconded the nomination. There were no further nominations. Director Annette Jones moved that John Chaney be elected by acclamation. Seconded by Bill Joiner and Director John Chaney was thereafter elected by acclamation.

3. Director Annette Jones nominated James Dorn to serve as Treasurer. Director John Chaney seconded the nomination. There were no further nominations. Director Annette Jones moved that James Dorn be elected by acclamation. Seconded by Bill Joiner and Director James Dorn was thereafter elected by acclamation.

4. Director Annette Jones nominated Bill Joiner to serve as Secretary. Director John Chaney seconded the nomination. There were no further nominations. Director Annette Jones moved that Bill Joiner be elected by acclamation. Seconded by John Chaney and Director Bill Joiner was thereafter elected by acclamation.

The Board of Directors considered other business not concerning the election of officers which is contained in a separate set of minutes of this same date.

SOUTHERN SANDOVAL COUNTY ARROYO
FLOOD CONTROL AUTHORITY

By: Wm. C. Yarbrough
W. C. YARBROUGH
Chairman

(SEAL)

Attest:

Bill Joiner
BILL JOINER
Secretary