

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)**

**MINUTES OF NOVEMBER 3, 1998  
SPECIAL BOARD OF DIRECTORS MEETING**

**CALL TO ORDER.**

The special meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:04 p.m.

Directors in attendance were John Chaney, Bill Joiner, Guy McDowell and Dub Yarbrough. James Dorn was noted as absent. Staff members present were David Stoliker, Executive Director, and Pam McGrath, Administrative Secretary. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

**APPROVAL OF AGENDA.**

A motion was made by John Chaney to approve the Agenda as presented. It was seconded by Bill Joiner and passed unanimously.

**URBAN POND #4 - TRINITY ESTATES DISCUSSION.**

Mr. Stoliker stated that the drainage management plan had been conditionally approved by the Board earlier subject to some technical changes being made. Mr. Stoliker stated that if SSCAFCA had to expand the pond, and make all the necessary changes, the cost to SSCAFCA would be approximately \$450,000.00. When SSCAFCA did its Budget this year, it budgeted \$800,000.00 for this project. SSCAFCA has previously spent approximately \$270,000.00 on the Urban Pond system.

Mr. Chaney questioned the differences in the estimated costs for easements in the three plans. Mr. Stoliker stated that if there are existing easements that have been given to the public, SSCAFCA should not have to buy the easements again. He stated that, in his experience, easements are generally 20% to 40% of the price of the cost of the property.

Mr. Metzgar stated that the draft agreement that he has drawn up is strictly with Mr. Wilken on Trinity Estates and does not in any way affect any other property owner or developer. Mr. Metzgar then explained the agreement to all parties present. Mr. Metzgar stated that SSCAFCA is in no way becoming a financial safety net for any developer or property owner. If developers want to use SSCAFCA's facility, they will pay SSCAFCA when they develop. If they don't want to use SSCAFCA's facility, SSCAFCA will have paid the cost with no reimbursement. However, by doing it now, SSCAFCA will pay less money than it would have to pay later.

Mr. Wilken stated that the agreement is not acceptable to him at this time. Mr. Wilken cannot give SSCAFCA a definite time on finishing the expansion on the pond. Mr. Wilken wants SSCAFCA to pay for part of the land up front. Mr. Metzgar stated that any

sale of land under the Subdivision Act is a division on which you have to have an approved plan. However, Mr. Wilken could transfer an easement and not be in violation of the Subdivision Act.

Mr. Metzgar stated that if SSCAFCA bought the additional 4.36 acres as an easement, SSCAFCA could pay Mr. Wilken some money up front for the easement. If, for any reason, the project were to fail, SSCAFCA would own the necessary easement for the 8 acres to do the project itself and the public would be protected.

Mr. Metzgar stated that it is SSCAFCA's policy that with any structure that it builds, takes over or improves in the future, SSCAFCA will establish it for the 100 year storm. If Trinity was out of the picture, and SSCAFCA agreed to take over the pond system, SSCAFCA would build to the existing 100 year storm under its policy.

He stated that Urban Pond #4 was built before SSCAFCA was established. SSCAFCA later did some additional work on it after it had gotten approval from the City of Rio Rancho. SSCAFCA put the pipeline in on Urban Pond #4. MRGCD only allowed SSCAFCA to put in an orifice that would discharge 5 cfs.

Mr. McGovern, of Cinfran, stated that Mr. Wilken needs SSCAFCA approval on the drainage plan at the next SSCAFCA meeting to be able to meet his deadline of December 8, 1998 for submission of his final plat to the City. Mr. Stoliker stated that the hydrology revisions need to be looked at before SSCAFCA can give approval, along with the Vinyard & Associates report. He stated that he would have to receive all of the necessary information very soon so that he would have time to review all of the remaining issues before the next regular Board meeting of November 17, 1998.

The Board agreed to table the matter until the next meeting of the Board.

ADJOURNMENT.

A motion was made by John Chaney and seconded by Bill Joiner to adjourn the meeting. It was carried unanimously. Meeting adjourned at 3:55 p.m.

  
BILL R. JOINER

Secretary

DATE APPROVED: January 19, 1999

  
WM. C. YARBROUGH  
Chairman