

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF APRIL 20, 1993
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 John Chaney, Dub Yarbrough, Bill Joiner and Annette Jones. A quorum was declared present. Guy McDowell was noted as absent. Bernard Metzgar, legal counsel was present. Staff members present were Bob Garman, Executive Engineer and Pam McGrath, Administrative Secretary.

APPROVAL OF AGENDA

Bob Garman requested that the agenda be amended to have the Update on Urban Ponds Project after the Bond Sales Recommendation.

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

APPROVAL OF PRIOR MINUTES

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the minutes of the regular meeting of March 16, 1993 as written and presented, carried unanimously.

BOND SALES RECOMMENDATION

Financial advisor, Kevin Powers, Assistant Vice President, of The Principal/Eppler, Guerin & Turner, Inc., presented an analysis and recommendation of doing a \$1,500,000 Series private bond sale to local financial institutions with a later public sale of \$2,500,000 of the

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remaining bonds. Mr. Powers stated that by going with a negotiated private sale, the bonds will be amortized over a shorter period of time and will help facilitate better ratings when the balance of the bonds go to public sale in the fall. SSCAFCA definitely needs an investment grade rating in order to obtain the best possible interest rate.

The Board questioned the going interest rate for private sale. Mr. Powers stated that for every .5% under the 5% stated on the analysis, an additional \$17,250 in interest payments can be deducted over the life of the issue.

Mr. Powers stated that in order to proceed with the initial bond sales offer, a resolution was needed giving The Principal/Eppler, Guerin & Turner, Inc., the authority to proceed to negotiate with local banks for the purchase of 1.5 million dollars in bonds.

Mr. Metzgar, legal counsel, presented Resolution 1993-9, Authorization for Sale of Bonds. Mr. Metzgar stated that this Resolution gives The Principal/ Eppler, Guerin & Turner, Inc. the authority to negotiate with local banks for the purchase of 1.5 million dollars in bonds provided that the interest rate does not exceed 5% per year.

A motion by Dub Yarbrough to adopt Resolution 1993-9, Authorization for Sale of Bonds, was seconded by Bill Joiner and passed unanimously by roll call vote.

A special meeting date was set by the Board for May 11, 1993 at 1:00 p.m. to complete the private sale of the bonds.

UPDATE ON URBAN PONDS PROJECT

Johnnie Losack, Sandoval County Flood Commissioner, informed the Board that approval was received from MRGCD to allow water from the urban ponds and tree farm ponds into the main canal. Mr. Losack agreed to a user fee, once the Conservancy starts charging a user fee to everyone.

David Thompson, P.E., Drainage/Development Group Leader of Wilson and Company, presented a brief overview of the urban pond project. This

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project is being built under a contract with Mr. Losack, Sandoval County Flood Commissioner.

PER DIEM PAYMENT

Annette Jones indicated that she had inadvertently failed to present some of her per diem vouchers on time. She then made a motion to approve her per diem payments that fall out of the parameters of the January 19, 1993 adopted motion concerning time limitations for submitting per diem vouchers. The motion was seconded by Bill Joiner and passed unanimously by roll call vote.

LEGAL COUNSEL REPORT

1. Resolution 1993-8 Designation of Agent For Donable Property

Bernard Metzgar, legal counsel, presented Resolution 1993-8 Designation of Agent For Donable Property. Mr. Metzgar stated that the designation of agent(s) needs to be updated on a yearly basis.

A motion by Annette Jones, seconded by Dub Yarbrough, to approve Resolution 1993-8, Designation of Agent For Donable Property passed unanimously.

2. Senate Bill 705

Mr. Metzgar informed the Board that Governor King signed Senate Bill 705, which allows the Board to increase the O&M rate from 1/2 mil to 1 mil. Mr. Metzgar stated that the increase of 1/2 mil can be levied by the Board without having voter approval.

TREASURER'S REPORT

1. Approve Treasurer's Report 4/20/93

Motion by Annette Jones, seconded by Dub Yarbrough, to approve the treasurer's report of 4/20/93, carried unanimously.

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2. Approve Expenditures 3/1/93-3/31/93

Motion by Annette Jones, seconded by Dub Yarbrough, to approve the expenditures of 3/1/93-3/31/93, carried unanimously.

3. Approve Expenditures 12/16/92-1/12/93

Motion by Annette Jones, seconded by Bill Joiner, to approve the expenditures of 3/1/93-3/31/93, carried unanimously.

4. Approve Treasurer's Report 1/19/93

Motion by Annette Jones, seconded by Bill Joiner, to approve the treasurer's report of 1/19/93 carried unanimously.

5. Resolution 1993-6 FY/93 Line Item Adjustments

John Chaney read Resolution 1993-6, FY/93 Line Item Adjustments, which adjusts the current line items consistent with current expenditures.

A motion by Annette Jones to adopt Resolution 1993-6, FY/93 Line Item Adjustments, was seconded by Dub Yarbrough and passed unanimously by roll call vote.

COMPUTER & ACCOUNTING PROPOSALS

Mr. Garman stated that this would be included in the Executive Engineer's Report.

EXECUTIVE ENGINEER'S REPORT

1. Corps of Engineers (COE) Vs Soil Conservation Service (SCS) On Harvey Jones Channel

Mr. Garman stated that since the last Board meeting, SCAFCA received reply letters from Soil Conservation Service (SCS) and the Army Corps of Engineers (COE) regarding SCAFCA's request for clarification of

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the differences in hydraulics and hydrology concerning the Harvey Jones Channel. As of this time, there has not been a meeting of the minds between the two agencies.

Dan Murray, SCS Hydraulic Engineer, and Gordon O'Dell, State Engineer of SCS, were present to answer questions from the Board and public.

Mr. Murray presented a summary of the design and hydrology that SCS used on the Harvey Jones Channel. The Lomitas Negras Arroyo is 7 miles long and the Los Montoyas Arroyo is 21 miles. Mr. Murray presented an analysis of the summary of hydrology model elements, comparison of SCS and COE hydrology based on factors used by SCS and COE.

Mr. Murray stated that concurrence was received from the Army Corps of Engineers in 1990 on the hydraulics of the Harvey Jones Channel.

A discussion followed in reference to the avenues available to the Board to help resolve the discrepancy in the capacity of the Harvey Jones Channel.

Dan Murray suggested that the Board wait until the study is available from FEMA on the work being done by Resource Technology, Inc. to see if it helps resolve the conflict between SCS & COE.

Mr. Metzgar stated that the Board could present the current information to Dr. Richard Heggan for review now or wait until the FEMA information is available before giving it to Dr. Heggan for review.

It was the consensus of the Board to wait until the results from FEMA are available and then have Mr. Garman prepare a new report for the Board incorporating that information.

2. Northern Boulevard/Montoyas Project

Mr. Garman gave an update on the status of the Northern Boulevard project. Representatives from the COE, SCS, and Gannet Fleming met with Jerry Fossenier and a discrepancy has been resolved. A new design has been reviewed and Mr. Garman did not see any problem with it.

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A motion was made by Annette Jones to give Robert Garman the authority to hire a title company for the title search, insurance, binder and closing costs not to exceed \$1,000. The motion was seconded by Bill Joiner and passed unanimously.

3. Drainage Policy

Mr. Garman stated that he met with Dr. Heggan and that Dr. Heggan did not make a recommendation on the 500 cfs versus the 50 cfs issue in the drainage policy.

Mr. Garman stated that he has read through the policy and found some minor errors that need correction.

John Chaney requested that at the next meeting Mr. Garman give the Board the status of the drainage policy at Village of Corrales and Bernalillo.

4. Dams 1 & 4

Mr. Garman reported that final payment was made to Easterling & Associates.

Mr. Garman stated that the majority of the lots have been identified in connection with this project.

Mr. Garman stated that he received a tour of the escarpment by Dick Norton along with the history of this area. At this point, Mr. Norton also gave a brief history of the area and the problems he is encountering.

5. Ken Medlin's Letter

Mr. Garman informed the Board that a reply was sent to Mr. Medlin and gave a copy of the reply letter to each Board member.

6. Extension Of Contract with Dr. Heggan

Mr. Garman stated that the extension contract with Dr. Richard Heggan has been signed.

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7. Urban Pond/Tree Farm Pond Issue

Mr. Garman stated that when Wilson Engineering came in to talk to him about the project, he found out that a letter was written to SSCAFCA by Johnnie Losack, Sandoval County Flood Commission, with a copy to MRGCD, confirming that SSCAFCA would pick up the O & M for the outlet structures to the Canal. Mr. Garman informed the Board that SSCAFCA did not receive the letter from Mr. Losack until just recently. He also stated that Mr. Losack did receive the permit he needed from MRGCD but that there is still a question of when SSCAFCA could take over the O & M.

The consensus of the Board was to have Mr. Garman and Mr. Metzgar meet with Johnnie Losack as soon as possible to resolve the O&M issue and to follow up with a confirmation letter after the meeting.

7. Senate Bill 705

Mr. Garman stated that Senate Bill 705 was signed by the Governor. This bill gives SSCAFCA the authority to raise the O&M levy to 1 mil. Additional changes that are in the bill are: 1) allowing the consolidation of voting places for other than general elections; and 2) mandating the use of electronic voting machines.

8. Evaluated O&M Future

Mr. Garman presented a graph to the Board showing O & M monies needed, amounts currently being levied and projected amounts with the 1.0 mil levy for O & M.

John Chaney requested that Mr. Garman meet with Bob McCormick, Chairman of Corrales Watershed Board, to try to come up with a time table for the takeover of O & M responsibilities by SSCAFCA by the next Board meeting.

9. COE Cancellation of Feasibility Study

Mr. Garman stated that he has received a draft letter from the COE canceling the feasibility study because the results of the reconnaissance investigation of southern Sandoval County indicated that no further Federal involvement could be justified under COE's parameters.

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10. Section 14 Project - Martin Luther King School

Mr. Garman stated that he had a meeting with Ron Rameriz of the COE on this project and informed him that SSCAFCA still has not received the right of way map promised by him more than three weeks ago.

A motion was made by Annette Jones authorizing Mr. Garman to obtain proposals for a title company and for an appraiser for up to \$5,000. The motion was seconded by Dub Yarbrough and passed unanimously.

11. Procurement Regulation/Policy

Mr. Garman stated that a copy of AMAFCA's regulations have been received and reviewed. A final revised copy is now available for legal review and he will give Mr. Metzgar a copy for such review.

12. Computer and Accounting Software Proposals

Mr. Garman stated that he checked with AMAFCA on their current and projected future computer equipment and software.

Three proposals were received for a computer system, which includes a laser printer and a wide carriage printer.

Mr. Garman stated that Mr. Landers of Hinkle and Martinez recommended the MIP accounting package. Two accounting software packages were reviewed, MIP and EDS, by Mr. Landers. A proposal for training on the MIP accounting software was received and is included in the software package quote.

A motion by Annette Jones, seconded by Dub Yarbrough, that the Executive Engineer be given the authority to pay up to \$4,200, plus gross receipts tax, for hardware and up to \$5,000, plus gross receipts tax, for the necessary software and training as set forth in the Executive Engineer report, passed unanimously.

13. Copier Status

The new copier was installed April 16, 1993.

14. New Recording System

Mr. Garman stated that the new recording system is in place.

CHAIRMAN'S REPORT

1. Resolution 1993-7 Designation of Legal Holidays

John Chaney introduced Resolution 1993-7, Designation of Legal Holidays.

A motion by Annette Jones, seconded by Bill Joiner, to accept Resolution 1993-7, Designation of Legal Holidays, passed unanimously.

2. Health Insurance

John Chaney stated that Mr. Garman looked into various health insurance plans for himself and that the Lovelace Health Plan is the most feasible. It requires that SSCAFCA join the Rio Rancho Chamber of Commerce in order to be eligible for this insurance.

A motion was made by Dub Yarbrough to allow SSCAFCA to join the Rio Rancho Chamber of Commerce and to allow Mr. Garman to enroll in the Lovelace Health Plan to be paid by SSCAFCA at \$240 per month and that this insurance be available to Pam McGrath should the need arise that she needs medical coverage. The motion was seconded Bill Joiner and passed unanimously.

3. Out of State Travel

Mr. Garman requested permission to attend a two day professional development seminar on Hydrology of Flood Control conducted by Professor Ponce in San Diego, California on April 30, 1993 and May 1, 1993. Mr. Garman stated that this seminar would be very beneficial to him.

Mr. Metzgar stated that SSCAFCA could pay the actual plane fare and per diem.

A motion by Annette Jones, seconded by Dub Yarbrough, to approve Mr. Garman attending the seminar passed unanimously.

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4. Educational Classes

John Chaney stated that Pam McGrath requested permission to attend classes that would be beneficial to her in performing her duties with SSCAFCA.

A motion was made by Annette Jones to allow Pam McGrath to take the necessary hour(s) to attend such courses without deduction for the time and authorizing SSCAFCA to pay the registration fees. The motion was seconded by Dub Yarbrough and passed unanimously.

OTHER BUSINESS

None.

Directors Comments

None

Public Forum

None

CLOSED SESSION

A motion by Annette Jones to go into closed session for personnel matters was seconded by Dub Yarbrough. Roll call vote: Dub Yarbrough, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Passed 4 to 0.

The Board went into closed session at 6:08 p.m.

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OPEN SESSION

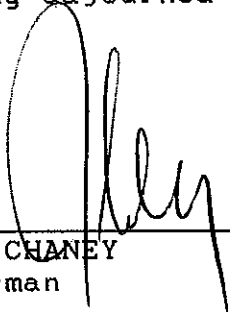
The Board reconvened into open session at 6:42 p.m.

John Chaney stated that a written evaluation would be put into Pam McGrath's file within the next 30 days.

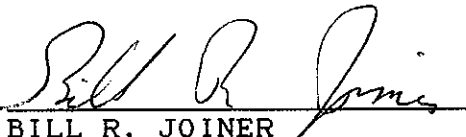
A motion by Bill Joiner, seconded by Annette Jones, to increase Pam McGrath's salary to \$25,000 a year passed unanimously.

ADJOURNMENT

A motion by Annette Jones, seconded by Dub Yarbrough, to adjourn the meeting was carried unanimously. Meeting adjourned at 6:43 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date Approved 5/18/93