

SOUTHERN SAN JUAN COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)

MINUTES OF MARCH 21, 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 12:59 p.m.

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

Annette Jones requested moving the closed session after the treasurer's report.

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

APPROVAL OF MINUTES OF FEBRUARY 28, 1995.

A motion by Dub Yarbrough, seconded by James Dorn, to approve the minutes of February 28, 1995 as written and presented, passed unanimously.

SECRETARY'S REPORT.

None.

TREASURER'S REPORT.

1. Approval of Expenditures 1/1/95-1/31/95.

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

2. Approval of Treasurer's Report of 1/31/95.

Motion by Dub Yarbrough, seconded by James Dorn, to approve the treasurer's report of 1/31/95 as presented, carried unanimously.

3. Approve Expenditures 2/1/95-2/28/95.

Motion by Dub Yarbrough, seconded by James Dorn, to approve the reported expenditures of 2/1/95-2/28/95, carried unanimously.

4. Approval of Treasurer's Report of 2/28/95.

Motion by Annette Jones, seconded by Dub Yarbrough, to approve the treasurer's report of 2/28/95 as presented, carried unanimously.

**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 Dub Yarbrough. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Annette Jones, yes; John Chaney, yes. Motion passed 4 to 0.

The Board went into closed session at 1:06 p.m.

**RESUMPTION OF OPEN SESSION.**

The Board reconvened into open session at 2:05 p.m.

John Chaney stated that no final action was taken on the matters discussed in closed session.

**DITCH AND WATER SAFETY TASK FORCE.**

Joan Griffin reported to the Board that the Ditch and Water Safety Task Force is on the agenda for the April City of Rio Rancho City Council meeting to request a donation of \$10,000. She stated that the prospects were promising for fiscal year 1996.

Ms. Griffin has also been in contact with Sandoval County and Jeff Lewis of the Fire Department, who is in favor of this proposition and is looking for funding through his budget.

The Board of Directors advised Ms. Griffin that its response to her request for funding would remain pending until the other governmental entities in Sandoval County have responded.

**LEGAL COUNSEL REPORT.**

1. Resolution 1995-10, Electing To Be Responsible for Making Contributions of Seventy-Five Percent of Its Employee's Member Contribution for Municipal Plan 1.

Mr. Metzgar presented Resolution 1995-10.

After discussion, motion by Dub Yarbrough, seconded by James Dorn, to approve Resolution 1995-10, Electing to be Responsible for Making Contributions of Seventy-Five Percent of Its Employee's Member Contribution for Municipal Plan 1, passed unanimously.

2. Resolution 1995-11, A Resolution Authorizing an Election for Adoption of Municipal General Member Coverage Plan 3 and Authorizing 75% Pick-up of Member Contributions.

Mr. Metzgar presented Resolution 1995-11.

After discussion, motion by Dub Yarbrough, seconded by James Dorn, to approve Resolution 1995-11, A Resolution Authorizing an Election for Adoption of Municipal General Member Coverage Plan 3 and Authorizing 75% Pick-Up of Member Contributions, passed unanimously.

**EXECUTIVE ENGINEER'S REPORT.**

1. Dams 1 & 4 Outfall Project.

Mr. Garman reviewed the status of the parcels being acquired.

Mr. Garman stated that he gave John Howden the notice to proceed on the updated appraisals needed with a deadline of May 15, 1995.

Mr. Garman stated that a field visit was made with Dave Harrison of Easterling & Associates to review Parcel 3-11A for possible realignment around this property.

Mr. Garman stated that a letter was written to Easterling & Associates informing him of the authorization by the Board on the current contract for proceeding to work on bids for Phase I of the Dams 1 & 4 Outfall Project. A formal proposal from Easterling and Associates for the Construction Management was requested so it could be presented at the next Board of Directors meeting.

2. Lomitas Negras Project Update.

Mr. Garman stated that a pre-construction meeting is scheduled for Thursday, March 23, 1995 at 10:00 a.m.

Mr. Garman requested that the motion made at the February 28, 1995 meeting be revised to appropriate \$34,301.78 to the project instead of \$34,000 because that was the actual amount needed.

A motion by James Dorn, seconded by Dub Yarbrough to revise the appropriation to \$34,301.78 for the Lomitas Negras Project, passed unanimously.

Board members stated that this should be the final amount needed for this project.

3. Tree Farm and Urban Ponds Project.

Mr. Garman updated the Board on the status of the Flood Commissioner's Tree Farm and Urban Ponds projects. He stated that the State Engineer has endorsed the redesign concept.

Mr. Metzgar stated that, after talking to Richard Farmer, the Village of Corrales agreed that they will grant the easements and the last landowner has agreed to terms.

4. Legislation.

Mr. Garman stated that both bills affecting SSCAFCA died.

5. CWD Transfer to SSCAFCA.

A. Memorandum of Agreement (MOA).

Mr. Garman stated that he drafted an MOA on the items that were covered in the CUIDAD letter and agreed to by the Board. Mr. Metzgar stated that there was some minor changes that needed to be made to the first draft.

Mr. Metzgar read the revised MOA to the Board of Directors.

A motion by James Dorn, seconded by Dub Yarbrough, to approve the MOA passed unanimously.

B. Tour of CWD Boundaries.

Mr. Garman stated that he had a tour of the boundaries of CWD by Richard Farmer. During the tour, it was discovered that a road had been bladed on CWD property by U.S. West. Richard Farmer and Bob Garman will follow up on this matter.

6. On Call Appraisers.

Mr. Garman stated that the three firms have been notified of their selection. Mr. Metzgar is currently reviewing the contract.

7. Equipment.

A. Vehicle.

Mr. Garman thanked the Board for the Bronco and stated that it was available for anyone to inspect.

B. Video Equipment.

Mr. Garman stated that he is currently reviewing the needs and prices and will have a recommendation and prices by the next meeting.

**CHAIRMAN'S REPORT.**

**Appointment to Personnel Committee.**

Mr. Chaney appointed James Dorn to the personnel committee once the current personnel committee's issue is resolved. He will replace Dub Yarbrough.

**OTHER BUSINESS.**

Mr. Dorn introduced a draft vehicle policy memorandum. This draft vehicle policy will be discussed at the next meeting.

Mr. Metzgar stated that he reviewed the PERA statute and the Board needs to go back into closed session as this will effect the next meeting.

**DIRECTORS COMMENTS.**

None.

**PUBLIC FORUM.**

None.

**MOTION FOR CLOSED SESSION.**

A motion by Dub Yarbrough to go into closed session for personnel matters related to PERA was seconded by James Dorn. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; John Chaney, yes. Motion passed 3 to 0.

The Board went into closed session at 2:58 p.m.

**RESUMPTION OF OPEN SESSION.**

The Board reconvened into open session at 3:00 p.m. Mr. Chaney reported that no formal action was taken in the closed session.

**RESUMPTION OF OPEN MEETING.**

**LOMITAS NEGRAS PROJECT.**

Mr. Metzgar stated that he has reviewed the contract for Longley Construction and the chairman's signature is needed.

A motion by Dub Yarbrough, seconded by James Dorn, for John Chaney to sign the Longley contract for the Lomitas Negras Project passed unanimously.

**MOTION FOR CLOSED SESSION.**

A motion by Dub Yarbrough to go into closed session for further personnel matters related to PERA was seconded by James Dorn. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; John Chaney, yes. Motion passed 3 to 0.

The Board went into closed session at 3:02 p.m.

**RESUMPTION OF OPEN SESSION.**

The Board reconvened into open session at 3:17 p.m.


Mr. Metzgar stated that after he reviewed the PERA statute, what he originally told the Board was incorrect. Based on the PERA forms, it first appeared that SSCAFCA was not paying 75% of the employee contribution. However, based on the resolutions and the statute that is exactly what SSCAFCA would be doing.

There was a discussion by the Board.

Mr. Metzgar informed the Board that after listening to the various comments, the Board passed the Resolutions 1995-10 and 1995-11 in accordance with the signed contract terms with Mr. Garman. Therefore, nothing further should be done as the resolutions passed today were in accordance with the terms of the contract.

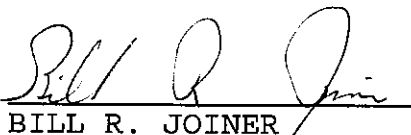
**ADJOURNMENT.**

A motion by Dub Yarbrough, seconded by James Dorn, to adjourn the meeting passed unanimously. Meeting adjourned at 3:32 p.m.



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JOHN CHANEY  
Chairman



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BILL R. JOINER  
Secretary

Date Approved April 25, 1995