

**OFFICIAL MINUTES AND ACTIONS TAKEN  
ARCH HURLEY CONSERVANCY DISTRICT'S  
BOARD OF DIRECTORS**

**Tuesday, February 13, 2007**

**Directors Present:** Larry Perkins, President                      Tom Bruhn, Director  
David J. Foote, Vice-President                      John Gilbertson, Director  
UV Henson, Secretary/Treasurer

**Directors/Staff  
Absent:**

**Staff Present:** William A. Conrad, District Manager  
Mark Preciado,  
Jane Dunlap, Office Manager

**Guests Present:** Landholders: Donald Adams; Phillip H. Bidegain; Phillip Box;  
Donald Carter; Toni Foote; Debbie Kanapilly; Don  
Lopez; Jimmy Speed; Pete Tatschl; Charley  
Thomas  
Big Mesa: Fred Stieg  
Quay County Sun: Chelle Delaney

Finding a quorum present and finding this regularly scheduled meeting of the Arch Hurley Conservancy District's Board of Directors duly advertised, as required by statute, District President Larry Perkins called this meeting to order at 5:31 p.m. in the district office.

Chairman, Larry Perkins called for a motion to approve the draft minutes of the regular meeting as sent out. David Foote moved, seconded by Tom Bruhn, to approve the minutes of January 9, 2007, without corrections. Directors voted: Bruhn – "YES"; Foote – "YES"; Gilbertson – "YES"; Henson – "YES"; and Perkins – "YES". Motion carried.

The President called for a motion to approve the draft minutes of the two special meetings as sent out. Director Bruhn moved, seconded by John Gilbertson, to approve the special minutes of January 11, 2007 and January 22, 2007, without corrections. Directors voted: Bruhn – "YES"; Foote – "YES"; Gilbertson – "YES"; Henson – "YES"; and Perkins – "YES". Motion carried.

Bill Conrad, the new district manager, stated that Mark Preciado has been showing him around the project. The manager reported on the maintenance throughout

the project. Crews are working on the main canal placing betonite where the seepage problem is concentrated as well as getting the ditches ready to run water by repairing concrete and weed burning. He stated that a couple pieces of equipment, a backhoe and forklift, will need some costly repairs, about \$7,000.00 for overhaul engine kits. The pipeline on the Farrow Lateral is now complete with funding made possible by a cost share grant from the B.O.R. A final report has been submitted to Joe Alderete of the Bureau indicating our share of the grant as \$30,000.00 of in kind services.

The manager updated board members on the status of our 2006 legislative appropriation of \$50,000.00. The district contacted DFA, the project manager of the grant, and found out that the money was appropriated for equipment not vehicles. He requested the office and shop prepare a list of needed equipment to be forwarded to DFA for their approval. Directors stated that before the list of equipment is submitted to Santa Fe that it be approved by the board first.

Donald Adams, the Quay County Fire Marshall, approached the board with a request for four or five bridge trucks to be used by the rural fire departments. He stated that it may be possible to purchase some of the trucks with forestry money however he was hoping that the district would donate the trucks. The board went over the procedure to dispose of obsolete equipment and it was the finance committee's recommendation that the equipment be donated to the Quay County Fire Department. President Perkins requested a letter of intent to donate be sent to the appropriate state entities as required.

Mike Latham brought board members up to date on the web site. He stated that our web address is [www.archhurley.org](http://www.archhurley.org) and that to date it contains board minutes from January through November 2006; phone numbers of ditchriders; information from the B.O.R. on history of the AHCD; and basic contact information. He recommended purchasing a program to update the web site for around \$250.00 and he will get with the office staff to train. There is a cap as to the amount of information you can put on the web site and the district needs to see about what size we would need. Director Bruhn asked the manager to check with other districts as to criteria and rules and regulations that they follow. Board members are requested that for the March meeting they bring written items they would like to see on the web site.

Bids for a general counsel were opened. The only firm who submitted a proposal was that of Camille Chavez and Albert J. Mitchell, Jr. Larry Perkins suggested that each member read over the proposal and then an interview with the attorney can be set up at a later date in a work session, a special meeting or in an executive session once advertised properly.

President Perkins asked that the appointment of a registered agent as required on the corporate report be tabled until a general counsel can be selected.

New Mexico Water Resource Association dues for 2007 were discussed. David Foote moved, seconded by John Gilbertson to authorize the payment of \$627.00 annual

dues to the NMWRA and for the district to become active in attending the meetings. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried.

Directors reviewed the lake level for a possible allocation. The lake is currently at 4,177.38 feet or 23.62 feet below the spillway. After careful review of the availability and delivery chart, David Foote moved, seconded by John Gilbertson, to allocate six (6) inches of water at the budgeted rate of \$10.00/ft. and to establish a turn on time of 40 c.f.s. demand of valid orders (minimum of three (3) days). Valid orders include at least ½ the assessments paid up to date, water purchased and all necessary R.R.A. forms completed. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried.

The 2006 Crop Census Report was reviewed. David Foote moved, seconded by UV Henson, to accept the report as presented. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried.

Under directions to the manager each board member expressed what they would like the manager to accomplish. Those suggestions are as follows:

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|-------------------|---|
| Tom Bruhn -       | a) increase in salaries of EE’s<br>b) health insurance re-instated<br>c) water efficiency up – record of where water actually went, accountability on all reports<br>d) water measurement training center, establish a lab<br>e) encourage ditchriders to attend meetings – report on their units |
| John Gilbertson - | a) increase efficiency – shoot for 40%<br>b) split lunch hours during water run<br>c) safety training   |
| UV Henson -       | a) portable devices on the laterals to measure water  |
| David Foote -     | a) plat book copied<br>b) lower water in main canal<br>c) files from B.O.R. – information district doesn’t have like ROW information  |
| Larry Perkins -   | a) water measurement from release to the county line and the Wye – know the process and verify release<br>b) getting the district ready to run water this year  |

Board members reviewed Resolution #2007-002, Check Signature Authorization. David Foote moved, seconded by John Gilbertson, to authorize any two of the following persons to sign checks on behalf of the district: Larry Perkins, President; UV Henson,

Secretary/Treasurer; William A. Conrad, Manager; Jane Dunlap, Office Manager; and Misty Vick, Water/Land Management Clerk. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried. A copy of the resolution is attached to the original minutes.

Retaining a water attorney was again revisited. John Gilbertson moved, seconded by Tom Bruhn, to retain the Bud Falen Law Firm to review our contracts and license. The president called for discussion and a question arose concerning the hiring of relatives as it pertains to Section #105 of the District Personnel Manual. After an extensive discussion regarding following the procurement code on hiring for professional services and the need for contracts which meet a cost limit, Director Gilbertson rescinded his motion. The board took no action at this time but will address this issue again after interviewing with prospective candidates for general counsel.

Larry Perkins mentioned that the district still has a contract with Mark Preciado as the interim district manager and this needs to be reviewed. David Foote moved, seconded by Tom Bruhn, to honor the existing contract with Mark Preciado, whereas he will step down as the interim manager to become the ditchrider of Unit “A” at the same rate of pay as before he became the interim manager. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried.

In the president’s report, Larry Perkins mentioned that the training for board members held at Mesalands Community College was very informative. He would like to see the AHCD board have a retreat and asked for suggestions on a time and place. He also asked that for the March meeting directors come up with a mission statement and a strategic plan. Perkins is working on the procedure to re-introduce approximately 800 acres of Class “A” land that was removed from the tax rolls prior to our repayment. These water right acres were withdrawn from the project through action by the conservancy court.

Under director’s comments, UV Henson asked about auctioning off the 49 acres currently being held by the district from landowners who voluntarily relinquished their water rights. The board asked the manager to get with the office staff and research what needs to be done to have an auction and place on the March agenda to be discussed.

The finance committee reviewed the January paid and payable vouchers. John Gilbertson moved, seconded by UV Henson, to pay the January vouchers as presented, subject to the approval of the manager. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried.

The president called for a motion to recess into an executive session. John Gilbertson moved, seconded by David Foote, to recess into an executive session according to the Open Meetings Act, 10-15-1 Sec. H(2) to discuss limited personnel matters for approximately 45 minutes. Directors voted: Bruhn – “YES”; Foote – “YES”;

Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried. Everyone was excused at 9:17 p.m.

The meeting resumed at 11:04 p.m. with a motion made by Tom Bruhn and seconded by John Gilbertson that nothing but limited personnel matters was discussed. Directors voted: Bruhn – “YES”; Foote – “YES”; Gilbertson – “YES”; Henson – “YES”; and Perkins – “YES”. Motion carried.

With no further business to discuss, the meeting was adjourned at 11:10 p.m. with a unanimous vote.

ARCH HURLEY CONSERVANCY  
DISTRICT

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President, Larry Perkins

**ATTEST:**

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Secretary, UV Henson