

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

**Wednesday, October 10, 2007**

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

**Directors/Staff Absent:** None

**Staff Present:** William (Bill) Conrad, District Manager

**Guests Present:** Jimmy Speed; Pablo Lopez; Drake Swenson; Fred Stieg, of Big Mesa

**Other Guests:** Jane Dunlap, Independent Contractor

**MEETING CALLED TO ORDER**

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 9:02 a.m. in the district office.

**APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING, SEPTEMBER 11, 2007**

A correction to the September draft minutes was noted:

Page 2, Paragraph 5 – Director Foote asked that the word *from* be changed to *on* Peachtree Accounting Systems.

Director Foote moved to approve the draft minutes of the Arch Hurley Conservancy District's September 11, 2007 regular meeting with noted corrections. The motion was seconded by Director Bruhn. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Henson – “YES”

Gilbertson – “YES”

**VISITORS**

Drake Swenson approached the board asking why the election did not start on time. He explained that his wife waited to vote but because the polls were not open at 7:00 a.m., as advertised, she did not get to vote. After checking with a local attorney Swenson stated that this election was illegal and the state has been notified. Directors stated that changes to the election procedures are needed however some of those changes will require legislative approval. Election changes will be addressed before the next election.

### **CANVASS OF THE ELECTION – October 9, 2007**

Directors reviewed the tally sheets for the candidates in the Precinct #1 Election. After some discussion UV Henson moved, seconded by Tom Bruhn, to accept the canvass of election, approve the judges tally count and declare Pablo Lopez the winner with 3,006 votes over David Foote's 2,338 votes. Motion carried 4 – 0.

Directors voted:

Perkins – “YES”  
Bruhn - “YES”

Foote – “Abstained”  
Gilbertson – “YES”

Henson – “YES”

### **BIG MESA – REQUEST FOR RECLASSIFICATION OF WATER RIGHTS**

Fred Stieg informed the board that Big Mesa purchased approximately 60 acres from Blue Hole Creek and Big Mesa is requesting a reclassification of those water rights to Conchas Lake. President Perkins stated that no water rights can be transferred out of the district. Big Mesa should consider following the same procedure for this request as has been done in past contracts – relinquishment of water rights back to the district, enter into a contract to transfer the point of diversion, then the contract approved by the Bureau of Reclamation.

Director Bruhn moved, seconded by John Gilbertson, not to accept this reclassification request from Big Mesa as presented. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

The board requested that a letter be sent to Big Mesa from our attorney, Peter Shoenfeld, re-addressing this issue with the proper procedure and carbon copy to Big Mesa's attorney.

### **GENERAL LIABILITY/AUTO/PROPERTY/E&O INSURANCE BID APPROVAL**

David Foote moved, seconded by Tom Bruhn, to approve going out to bid for three years on general liability/auto/property/E&O insurance effective January 1, 2008. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

**RECOMMEND an INDEPENDENT AUDITOR – Chester Mattocks, CPA**

UV Henson moved, seconded by David Foote, to recommend Chester Mattocks, CPA as our Independent Auditor for 2007, the third year of a three year contract. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

**RESOLUTION #2007-010 AUTHORIZING ACTION TO SUPPRESS DRILLING OF IRRIGATION WELLS AT LARGO CANYON**

Director Foote requested a change in the wording of Resolution 2007-010, Paragraph 2, to read “WHEREAS the Arch Hurley Conservancy District’s Board of Directors *has* considered . . . . . “. Tom Bruhn moved, seconded by John Gilbertson, to approve and adopt Resolution #2007-010 as corrected. Motion carried 5 – 0. (A copy of the resolution is attached to the original minutes)

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

**MANAGER’S REPORT**

District Manager Conrad explained:

- Irrigation is slowing down - recommends ordering water off when orders drop below 40 cfs.
- Reviewed expenses to date against budget.
- Reported that repairs to district housing will cost approximately \$5,000.00 per house for the houses that have to be re-roofed or windows replaced.
- Two ditchrider homes will be replaced with the FEMA trailers now located at the yard.
- Balance of the 2006 legislative grant is approximately \$18,000 to be spent on electrical work, leaking roof and insulation on the maintenance shop.
- The 2007 legislative grant is still available for needed repairs on the shop or other areas or for needed equipment.
- Checking fuel prices to buy a semi load of diesel.
- Sending employee to Alpine to pick up a semi load of bentonite to slurry over the water before the canals are drained.
- Needs to set a date for election changes workshop.
- NWRA Convention to be held in Albuquerque, NM on Nov. 7-9. Recommended at least one board member attend.

**MONTHLY WATER REPORT FROM DITCH RIDERS**

Water reports were reviewed by the board members.

**REVIEW WATER LEVEL CONCHAS LAKE – POSSIBLE ALLOCATION**

Board member reviewed the water situation at Conchas Lake and stated that the elevation is currently 4,168.80 or 32.20 feet below spillway. David Foote moved, seconded by Tom Bruhn, not to allocate additional water. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

**TENTATIVE WATER “TURN OFF” DATE**

No absolute turn off date was established. Management was instructed that once the orders begin to fall notify the farmers and encourage them to get the orders up or when the orders fall below 40 cfs for a few days to order the water off.

**PRESIDENT’S REPORT**

President Perkins requested that housing repairs (roofs and windows) be looked into before winter.

**DIRECTORS’ COMMENTS**

Director Gilbertson stated that David Foote has been an asset to the district and thanked him for his time and expertise.

**CONSIDERATION OF BILLS**

Director Henson moved, seconded by Tom Bruhn, to approve and pay the September paid and payable vouchers as presented. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

**EXECUTIVE SESSION – LIMITED PERSONNEL MATTERS**

Director Foote moved, seconded by Tom Bruhn, to recess into Executive Session, pursuant to Section 10-15-1 (H)(2), to consider Limited Personnel Matters for approximately one hour. Motion carried 5 – 0. Everyone was excused at 11:30 a.m.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Foote – “YES”  
Gilbertson – “YES”

Henson – “YES”

The meeting resumed at 12:25 with a motion by Tom Bruhn and seconded by John Gilbertson, that nothing but limited personnel matters were discussed. Motion carried 5 – 0.

Directors voted:

Perkins – “YES”  
Bruhn – “YES”

Henson – “YES”

Foote – “YES”  
Gilbertson – “YES”

**ADJOURNMENT OF REGULAR MEETING**

With no further business to discuss, the meeting was adjourned at 12:27 with a unanimous vote.

ARCH HURLEY CONSERVANCY  
DISTRICT

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President, Larry Perkins

**ATTEST:**

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Secretary, UV Henson

**ACTION FOR EXECUTIVE SESSION-**

**A motion was made by Director Gilbertson to discontinue the employment of Willian Bill Conrad Manger of the Arch Hurley Conservancy District seconded by Pablo Lopez. Motion carried by a unamious vote of 5-0.**