

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

**Tuesday, February 12, 2008**

**Directors Present:** Larry Perkins, President; Tommy Bruhn, Vice-President; UV Henson, Secretary/Treasurer; Pablo Lopez, Director; John Gilbertson, Director

**Directors/Staff  
Absent:** None

**Staff Present:** Franklin McCasland, District Manager; Tara Hatfield, Office Manager

**Guests Present:** Don Lopez; Jimmy Speed, Pete Tatchl, Chelle Delaney, Quay County Sun; Drake Swenson, and Cody Young.

**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 Perkins called this meeting to order at 9:05 a.m. in the district office.

**APPROVAL OF MINUTES – REGULARLY SCHEDULED MEETING  
JANUARY 8, 2008-**

Director Bruhn moved to approve the draft minutes of the Arch Hurley Conservancy District's January 8, 2008, regular meeting with corrections. The motion was seconded by Director Henson. Motion carried 5 – 0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**VISITORS COMMENTS-**

Pete Tatchl made the comment that the Water Master is the life of the project, and that a water master should have full authority over the Ditch Riders and oversee the entire water season from start to finish.

Don Lopez voiced his concern over locked gates on the canal right of ways. He feels that it is hard for Arch Hurley Conservancy District to do their job if the gates are locked. Mr. Lopez had also stated that when he was Manager that he had taken an individual to court over this matter, and that Arch Hurley had won the lawsuit. President Perkins had thanked him for his concern and instructed District Manager Franklin McCasland to check into the matter.

Drake Swenson wanted to know if there was a job description for the Water Master and if so he would like to see it.

#### **MANAGER'S REPORT-**

District Manager Franklin McCasland made statements on the following items;

- O&M is finishing with the removal of the trees on the T4 Ranch.
- Removing sediment in the inlets and outlets of the siphons.
- Cleaning the Benson and the Godden
- Ditch Riders are replacing gates and staff gages and doing cement work in the District.
- Estimated cost of repairing D unit, \$3500-\$4000
- Water records were closed and bills were sent out.
- Chester Maddox, C.P.A has requested a meeting with two members of the Board to discuss the 2006 audit
- Susan Corrosion from the B.O.R. will be in our office February 25,-27 to help train office staff on R.R.A. forms.
- Roofs were replaced on C Unit and the Water Master homes.
- G unit is has been painted and repaired.
- Mobile homes are up and ready in units B and D.
- New registered agent for Arch Hurley Conservancy District is Corporate Service Company
- Meet with Chris Barela regarding the GSA program, applications have been sent to him for approval.
- FEMA homes are going for \$20,000 and up; Arch Hurley would pay 10-15% percent of the original price, if purchased through the state GSA program.
- State Engineers office recommended using a press clipping service to stay informed of water issues pertaining to the Canadian River Basin.
- A wrongful death case was filed against Arch Hurley Conservancy District; all insurance companies were notified as well as legal counsel.
- On January 30<sup>th</sup>, a lock was cut on the gate at the shop, the police were called and nothing was noted to be missing at that time.
- Skip Vernon sampled the chemicals in the storage unit; this matter will be discussed in the executive session.
- Meet with the BOR and discussed the Historical value if any of the Arch Hurley Conservancy District homes, the BOR will be in Tucumcari on 02-14-2008 to inspect the homes.

#### **WATER ALLOCATION REVIEW-**

After discussion of the water levels an efficiency rates, the discussion was tabled until next months meeting. No action was taken.

**RESOLUTION 2008-002 UP STREAM APPROPERATIONS-**

Director Bruhn made a motion to adopt resolution #2008-002 Upstream appropriations with a second by Director Gilbertson. Motion carried 5 – 0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**CROP CENSUS FORMS-**

Director Bruhn made a motion to approve the 2007 Crop Census Forms with a second by Director Lopez. Motion carried 5 – 0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**LARGO CANYON PROTEST REVIEW-**

A meeting was held with District Manager Franklin McCasland, Peter Shoenfeld P.A., and the State Engineers Office regarding the protest, and a pre- hearing is set for February 15, 2008, no decision will be made at the pre- hearing. Another hearing will be held in Quay County or San Miguel County so the hearing officer can make a decision regarding the protest. The outcome of the hearing can be protested in District Court.

**REVIEW AND UPDATE PERSONNEL HANDBOOK –**

Director Bruhn made a motion to amend the drug and alcohol policy to read that any blood test over 0.00% is a positive test result, with a second by Director Lopez. Motion carried 5 – 0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**RELEASE OF MORTGAGE – JACK SMITH-**

Director Bruhn made a motion to release the Mortgage to Jack Smith with a second by Director Henson. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**DONATION OF EQUIPMENT TO SAN JON FIRE DEPARTMENT-**

District Manager Franklin McCasland was given directive to make a list of how many brush trucks we have and can donate. The discussion was tabled until next months meeting. No action was taken.

**PRESIDENTS COMMENTS-**

Low water run expected this year, stated that we should look at 2002 and see where we made mistakes and try improving and learning from those mistakes. In 2002 a lot of assessments were not paid due to having no water allotment. Assessments are a primary source of income for Arch Hurley Conservancy District, water sales is not an absolute.

Arch Hurley Conservancy District needs to consider what we can do to conserve fuel and money when burning the canals to prepare for the water run.

**DIRECTORS COMMENTS-**

Director Gilbertson made the comment that the State Engineer is cracking down on cities and he is concerned that they could crack down on us at the efficiency rate we currently have. He stated we need to be spending money on the attorney on more important issues like issues with the State Engineer not on the Skip Vernon issue. He would like to see an efficiency rate of fifty percent. He would like to have a plan in place and conserve water.

Director Bruhn made the comment that he is concerned about the cell phones and lack of reception on his cell phone. He would like Arch Hurley Conservancy District to go back to using two way radios for the ditch riders and staff.

**CONSIDERATION OF BILLS-**

Director Henson made a motion to approve and pay the bills with a second by Director Bruhn. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**EXECUTIVE SESSION – LIMITED PERSONNEL MATTERS**

Director Bruhn moved at 10:55 a.m., that the meeting be closed for Executive Session, pursuant to Section 10-15-1 (H)(2), and Section 10-15-1 (H)(7), to consider Limited Personnel Matters and threatened or pending litigation, with a second by Director Lopez.

Directors voted:

Perkins – “YES”

Bruhn – “YES”

Lopez – “YES”

Henson – “YES”

Gilbertson – YES

**ACTION FROM EXECUTIVE SESSION-**

The matters discussed in the closed meeting were limited only to those specified in the motion for closure, and no action was taken.

**ADJOURNMENT OF REGULAR MEETING**

Director Bruhn moved to adjourn the meeting at 12:00 p.m., with a second by Director Lopez. Motion carried 5 – 0.

Perkins – “YES”  
Bruhn – “YES”

Directors voted:

Gilbertson – YES

Lopez – “YES”  
Henson – “YES”

ARCH HURLEY CONSERVANCY DISTRICT

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Larry Perkins, President

**ATTEST:**

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Secretary, UV Henson