

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

**Tuesday, November 13, 2012**

**Directors Present:** President Larry Perkins, Vice President Phillip Box,  
Secretary/Treasurer UV Henson, Director J.D. McEwen and  
Director Robert Evans

**Directors/Staff  
Absent:**

**Staff Present:** District Manager Franklin McCasland, Office Manager Donna  
Lafferty and Maintenance Supervisor Craig Hoffman

**Guests Present:** Jimmy Speed, Daniel Garcia, George Evetts, M.J. Horner-Young,  
John Gilbertson, Louis Box, Glenn Briscoe, Tom Dominguez and  
Jerrene Bradley of Quay County Sun.

**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,  
President Perkins called this meeting to order at 9:00 a.m. in the District Office.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was lead by President Larry Perkins and the Invocation was  
given by President Larry Perkins.

**APPROVAL OF MINUTES – REGULAR SCHEDULED MEETING  
OCTOBER 9, 2012**

Director Box made the motion to approve the draft minutes of the Arch Hurley  
Conservancy District's October 9, 2012 regular meeting. The motion was seconded by  
Director Henson. Motion carried 5-0.

Directors Voted:

Perkins – “YES”  
McEwen – “YES”

Box – “YES”

Evans – “YES”  
Henson – “YES”

## MANAGER'S REPORT

Today the Conchas Lake elevation is at 4,156.4 feet. Last year at this time the elevation of Conchas Lake was 4,161.2 feet. Conchas Lake received 573 acre feet of inflow for the month of October and had a loss of 976 acre feet from evaporation and other losses.

On October 15<sup>th</sup>, President Larry Perkins, Director JD McEwen and I met with Senator Udall and his staff. We discussed the ongoing drought in New Mexico and the financial impact that the drought was putting on the landowners as well as Arch Hurley Conservancy District. One item that was discussed was moving the annual BOR payments to the back of the note until the drought was passed and we were able to allocate a full allocation to the farmers for several years. We also informed Senator Udall that we were attending the NWRA conference and we would be discussing this topic with the BOR Commissioner Conner at that time.

On October 26<sup>th</sup>, A.J. McLean who is the Field Safety Consultant for Builders Trust of New Mexico arrived to inspect the district's equipment, buildings, safety equipment and supplies. Mr. McLean reviewed safety meeting reports and other related documents. Mr. McLean will look at holding a 1/2 day defensive driving course for all of the employees this winter. There were no findings in this inspection or audit.

On October 29<sup>th</sup>, I attended a Regional Water Symposium that was held at Luna College in Las Vegas N.M. The objectives were to engage community leaders in understanding the connectivity of regional water planning efforts and to develop ideas for implementing joint water planning efforts by reviewing all of the ISC regional water plans in north eastern New Mexico. There was also a collaborative effort for funding designated projects throughout the region. The meeting was attended by the state engineer and several of his staff, Senator Pete Compos and many other state and community elected officials. There were several guest speakers on the agenda. John Longworth from the OSE Drought Taskforce gave an overview of the drought impacts on New Mexico and the weather patterns. John reported that the past 24 months were the driest two consecutive years of drought in New Mexico history. The outlook for La Nino to move in is not promising for this spring or summer. He also reported that 2/3 of the state is in a severe drought and the other 1/3 is in an extreme drought. We are in the 1/3. During the question and answer period of the agenda, several officials from the Las Vegas area requested from Senator Compos and other State Representatives present that they introduce a bill to transfer water from other water sheds into the Gallinas water basin. This request drew a lot of comments and concerns from all areas represented in the room.

On October 30<sup>th</sup>, 31<sup>st</sup> and November 1<sup>st</sup>, President Larry Perkins and Vice President Phillip Box and I attended the annual NWRA conference in San Diego.

On November 8<sup>th</sup>, The Eastern Plains Council of Governments hosted a Regional Legislative & Congressional Forum in Clovis.

The Legislative update for this 2013 session was that Governor Martinez will again push for repeal of the drivers license for illegal immigrants, this year both the NM House and Senate will be controlled by Democrats. They will also have to decide whether to opt in or out of the national health care bill. It was reported that there will not be a large amount of capital outlay available this year. They feel that any excess cash will be used for infrastructure upgrades such as roads and highways throughout the state but, suggested that requests be submitted.

The Congressional Staff update was mostly discussion regarding the fiscal cliff that must be voted on and passed by January 1<sup>st</sup>. If this does not pass then there are automatic cuts that will affect New Mexico and its “employed” residents. One is that 1 trillion dollars will be cut from the military budget and a tax increase to individual workers in the amount of approximately \$40.00 per month and an overall tax increase of around \$2,000.00 annually per household and increase unemployment 2 to 3 percent. There was also discussion from both the state and federal officials regarding passing legalization requiring accountability for individuals receiving benefits.

We are receiving shipments of bentonite for the last quarter of the grant. We are on track to complete and close this grant out this calendar year. Todd Kirkpatrick from the BOR Albuquerque office will be here on November 26<sup>th</sup> to inspect the bentonite application and the records.

Mark and his crews are working on correcting the findings identified in the 2012 BOR Siphon Inspection Report.

### **VISITORS**

John Gilbertson asked about the 81<sup>st</sup> conference. Manager McCasland stated that it is an agenda item and a report will be given then on the conference.

George Evetts had some questions about Arch Hurley and debt forgiveness. His suggestion was to seek legal advice.

### **OUTDOOR CLASSROOM REQUEST**

Director Box made the motion to assist in the application of the bentonite to the Outdoor Classroom land. The motion was seconded by Director Henson. Motion carried 4-0.

Directors Voted:

Perkins – “ABSTAIN”  
McEwen – “YES”

Box – “YES”

Evans – “YES”  
Henson – “YES”

## **USBOR SIPHON REPORT**

The siphon report was reviewed by the Board. The table of contents was from last year, but will be corrected.

## **FILE PROPERTY LIENS**

Director McEwen made the motion to mail letters to accounts that are 3 years and more delinquent. The motion was seconded by Director Evans. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Evans – “YES”

McEwen – “YES”

Box – “YES”

Henson – “YES”

## **81<sup>ST</sup> ANNUAL NWRA WATER CONFERENCE REPORT**

The NWRA Water Conference will be held October 31-November 2. Manager McCasland, President Perkins and Vice President Box attended the conference. They spoke with Deputy Commissioner David Murillo and Regional Director Larry Walkoviak. A copy of that report will be part of these minutes.

## **DIRECTOR’S COMMENTS**

Director Henson asked about the letter to crop insurance about preventive farming and not requiring farmers to prepare the land. Manager McCasland stated that insurance companies have different policies. Vice Pre. Box stated that the decision is now up to the farmer whether any soil preparation is done.

President Perkins stated how a new landowner was impressed with the work on the canal system.

## **EXECUTIVE SESSION**

Director Box made the motion to go into executive session. The motion was seconded by Director Evans. Motion carried 5-0. A roll call was taken and each of the directors voted yes. Directors went into executive session at 10:17 a.m.

Directors Voted:

Perkins – “YES”

Evans – “YES”

McEwen – “YES”

Box – “YES”

Henson – “YES”

### **EXECUTIVE SESSION**

Director Henson made the motion to come out of executive session. The motion was seconded by Director Evans. A roll call was taken and each of the directors voted yes. Directors came out of executive session at 11:17 a.m. Motion carried 5-0. President Perkins stated that only threatened or pending litigation and Water Right Protection was discussed.

Directors Voted:

Perkins – “YES”

Evans – “YES”

McEwen – “YES”

Box – “YES”

Henson – “YES”

### **ACTION FOR EXECUTIVE SESSION**

Director Box made the motion to not move forward with the \$25,000.00 payment to the BOR for the economic impact study until further information can be obtained. The motion was seconded by Director Evans. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Evans – “YES”

McEwen – “YES”

Box – “YES”

Henson – “YES”

### **CONSIDERATION OF BILLS**

Director Henson made a motion to pay the submitted bills. The motion was seconded by Director Evans. Motion carried 5-0.

Directors Voted:

Perkins – “YES”

Evans – “YES”

McEwen – “YES”

Box – “YES”

Henson – “YES”

**ADJOURNMENT OF REGULAR MEETING**

With no further business to discuss, the meeting was adjourned at 11:36 a.m. with a unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

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President Larry Perkins

**ATTEST:**

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Secretary/Treasurer UV Henson

