

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

Tuesday, November 12, 2013

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

Directors/Staff Director Robert Evans

Absent:

Staff Present: District Manager Franklin McCasland, Maintenance Supervisor
Craig Hoffman, Office Manager Donna Lafferty and Land/Water
Clerk Misty Gulley

Guests Present: Jimmy Speed, Randy Crowder of ISC, Jason Latham and Steve
Peterson of USACE, Lanny Ross and Fred Stieg of Big Mesa,
Daniel Garcia, County Clerk Veronica Marez, Leonard Lauriault
of NMSU, Julian Paiz, Margaret Horner-Young and John
Gilbertson

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.

NEW BOARD MEMBERS OATH OF OFFICE

County Clerk Veronica Marez issued the Oath of Office to Larry Perkins and UV
Henson.

**RE-ORGANIZATION OF BOARD
ELECT PRESIDENT, VICE-PRESIDENT & SECRETARY/TREASURER**

Director Box made the motion to have the officers stay the same – President Larry Perkins, Vice-President Phillip Box and Secretary/Treasurer UV Henson by acclamation. The motion was seconded by Director Henson. Motion carried 4-0.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

**APPROVAL OF MINUTES – REGULAR SCHEDULED MEETING
OCTOBER 8, 2013**

Director Box made the motion to approve the draft minutes of the Arch Hurley Conservancy District’s October 8, 2013, regular meeting. The motion was seconded by Director Henson. Motion carried 4-0.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

MANAGER’S REPORT

Today the Conchas Lake elevation is at 4,179.64 feet. Last year at this time the elevation of Conchas Lake was 4,156.4 feet. Conchas Lake received 1,244 acre feet of inflow for the month of October and had a loss of 2,018 acre feet from evaporation and other losses.

On October 10, Donna and Misty attended a Procurement Workshop in Santa Fe and on October 16, Donna, Misty & Tina attended a PERA Workshop in Santa Fe.

On September 17, AHCD was scheduled for a BOR Contract Compliance Audit. We were contacted and the audit was re-scheduled for October 31. I spoke with Randy Rust on October 1 and that date may also have to be re-scheduled if the federal government doesn’t pass a budget or a continuing resolution. It is now scheduled for Thursday December 12, from 10:00 to 2:00pm.

On October 29, AHCD installed two new computers in the office.

The leased compact excavator lease is up on November 18th. We have put over 600 hours to date on the machine cleaning laterals throughout the district. I will see how much more work is still needed in the project and determine if we need to lease for one more month.

Arch Hurley employees have completed the third quarter with no accidents. The employees did receive their safety incentive checks following the monthly safety meeting. The end of this year will complete two full calendar years with no accident reports.

The men completed spraying salt cedars and woody vegetation on the canal right-of-way for this year.

In the board's packet are AHCD third quarter financial statements that have been submitted to DFA. There is also a signed three year audit contract from the State Auditor approving Sandra Rush as AHCD 2013 audit.

The men have completed cleaning the Bugg Canal with the two excavators from the 11 mile road to the Hudson Canal. They have also gone upstream on the Hudson Canal repairing washouts. The 4100 Gradall hydraulic cylinder repairs are completed and that unit is back in service. The 660 Gradall had the brakes fail, Gradall does not make parts needed for that machine so, brake chambers from a semi-truck was made to work.

AHCD is currently accepting applications for positions in the Operations & Maintenance Department and for a Ditchrider & a Relief Ditchrider.

In the October board meeting, I informed the board regarding Executive order 2013-031 declaring a disaster statewide due to flooding. The main canal from Conchas to the County line was severely damaged. On October 29, AHCD had a phone conference with Brian Williams at DFA. We were instructed to start the repairs with daily documentation. Mr. Williams said that they will hold an applicant briefing with FEMA in the next three weeks. AHCD will attend that briefing. AHCD has documented the storm damage on the Main Canal from Conchas Lake to the County Line Check.

VISITORS

Leonard Lauriault of the NM Ag Science Center wanted to encourage the Board to have water available on March 1, 2013. He stated that there have been studies that indicate the benefits to alfalfa and small grains when water is available in March.

Lanny Ross, Director of Big Mesa, wanted to establish that Big Mesa will do all they can in getting the pipeline installed. Water is a precious commodity and should not be wasted. We want to use utilize all available water. Conchas Dam was built as flood control originally. Big Mesa will help whenever they can. He invited Arch Hurley Board members to attend one of their meetings.

Daniel Garcia stated that in his area there are some issues with silted lateral and weirs and a drainage ditch that has trees in it.

REVIEW CONCHAS LAKE ELEVATION

President Perkins stated that the elevation of the lake is 4179.5. The maximum elevation was 4179.97 which indicates the elevation is down by approximately less than .5'. The elevation of Conchas Lake will stay on the agenda for informational purposes for the Board and constituents.

USACE UPDATE ON CONCHAS DAM

Jason Latham informed everyone that USACE will flush the gates at Conchas Dam. They have not been flushed since 1999. The plan is for each gate to be opened for 20 minutes total, five minutes to open, run fully open for ten minutes and five minutes to close. Total time to flush the gates will be 2 hours. The calculations indicated that 164 acre feet of water will go thru gates which is 3 days of evaporation in the summer. USACE plans to flush the second week in December. Mr. Latham was asked to inform Manager McCasland, Big Mesa and Jonathan Martinez of ISC when this process begins. Steve Peterson stated that USACE has a MOU with Mesalands College for the college to start testing the water. The college received a stem grant and will now be able to test the water samples. This water is currently being tested in Denver and the tests have been negative. The tests are for oxygen levels, zebra mussels, possible pollution location and a couple other ones. Mr. Latham showed a video of the sedimentation that is in the gates.

CDBG PLANNING GRANT

Misty Gulley and Donna Lafferty attended a Big Mesa Cooperative board meeting on October 12, 2013. Misty Gulley reported at the meeting it was requested of Big Mesa to allow Arch Hurley to work in tandem with them to send an income survey to Big Mesa customers. This survey is required by DFA because Arch Hurley is located in 2 counties. The income survey is required of both counties. The income survey for Quay County was obtained thru statistics and since Big Mesa is the only Arch Hurley user in San Miguel, the survey will be sent to their customers. The Big Mesa Board of Directors approved the request. This grant will be for \$50,000 for a preliminary engineering report on the entire canal system to put in pipeline and a pumping station. It has been scheduled for Misty Gulley to go to Big Mesa on Thursday to get the survey mailed.

ISC COMMISSIONER RANDY CROWDER

Manager McCasland introduced Mr. Randy Crowder. Mr. Crowder hails from the Clovis area. Mr. Crowder stated he was asked by ISC Director Jim Dunlap to keep an eye on the east side of the state. Manager McCasland has given Mr. Crowder a tour of the dam, siphons and tunnels of the project. Mr. Crowder explained that ISC needs to look at this area. There are many ways ISC can step up and help increase the efficiency of Arch Hurley which operates at about 50%. ISC Chairman Jim Dunlap would like to tour the

canal system on a 4-wheeler. Mr. Crowder suggested that Arch Hurley write a letter to State Engineer Scott Verhines, ISC Director Estevan Lopez and ISC Chairman Jim Dunlap to ask for their assistance. Arch Hurley needs to explain to the SEO and ISC of deficiencies, inform them of CDBG grant in works in reference to pipeline and pumping station and ask of ways to fund projects to improve Arch Hurley. Mr. Crowder is a trustee of Builders Trust.

At this time the Arch Hurley Meeting recessed and the CDBG Public meeting was held.

The regular Arch Hurley meeting resumed at 10:20 am.

**APPROVE CDBG RESOLUTIONS
2013-006, 2013-009, 2013-010, 2013-011 AND 2013-012**

Director Box made the motion to approve Resolutions 2013-006, 009, 010, 011 and 012. The motion was seconded by Director Henson. Motion carried 4-0. Resolution 2013-006 states that Arch Hurley wants to apply for the CDBG Planning Grant of \$50,000 and that Arch Hurley will have the matching funds of \$5,000. Resolution 2013-009 is the Citizen Participation Plan in which Arch Hurley will adopt an open meeting act, will post notices of any CDBG activity and if CDBG information is requested, that information will be supplied. Resolution 2013-2010 is about Fair Housing and what Fair Housing means and Arch Hurley will hold a Fair Housing meeting and Arch Hurley agrees to be a Fair Housing entity. Resolution 2013-011 talks about anti-displacement and relocation assistance and if Arch Hurley is ever to do a housing activity and how Arch will handle anti-displacement or relocation. Resolution 2013-012 is about the Section 3 Plan and Section 3 is to employ low-to-moderate income people and that Arch Hurley understands Section 3 and will abide by it.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

**APPROVE CDBG FEDERAL ASSURANCES PAGE & HUD DISCLOSURE
FORM, CERTIFYING OFFICIAL DESIGNATION, ENVIRONMENTAL REVIEW
DETERMINATION, CERTIFICATION OF EXEMPTION FOR CDBG FUNDED
PROJECTS & FAIR HOUSING ASSESSMENT**

Director Henson made the motion to approve all of the forms. The motion was seconded by Director McEwen. Motion carried 4-0.

Directors Voted:

Perkins – “YES”

Evans – “ABSENT”

McEwen – “YES”

Box – “YES”

Henson – “YES”

APPROVE RESOLUTION 2013-007 CONFLICT OF INTEREST

Director McEwen made the motion to approve Resolution 2013-007 pertaining to Conflict of Interest for directors. The motion was seconded by Director Box. Motion carried 4-0.

Directors Voted:

Perkins – “YES”

Evans – “ABSENT”

McEwen – “YES”

Box – “YES”

Henson – “YES”

STATE OF NM EXECUTIVE ORDER 2013-031

This is an up-date on this executive order concerning the counties of Eddy, Guadalupe and San Miguel. About 2 weeks ago Pres. Obama signed the bill to fund this executive order. This will equate to approximately \$60,000 in repairs on the canal that is in San Miguel County. Man hours and equipment hours will be kept. Work will be documented with before and after pictures. Work has started in this area and will be in full-swing when all the necessary equipment is moved to the area.

DIRECTOR’S COMMENTS

Vice-President Box stated that he has been driving around the canals. The maintenance crews are getting the ditches cleaned. Blowing is still an on-going problem and will be addressed. Manager McCasland stated that in some cases the ditches and laterals are full of sand and both sides of the ditch have sand issues, so the problem is where to put the sand from the ditch.

EXECUTIVE SESSION

Director Box made the motion to go into executive session. The motion was seconded by Director McEwen. Motion carried 4-0. A roll call was taken and each of the directors voted yes. Directors went into executive session at 10:50 a.m.

Directors Voted:

Perkins – “YES”

Evans – “ABSENT”

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 McEwen. Motion carried 4-0. A roll call was taken and each of the directors voted yes. Directors came out of executive session at 11:53a.m. President Perkins stated that only threatened or pending litigation and limited personnel matters was discussed.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

ACTION FROM EXECUTIVE SESSION

Director Box made a motion to approve the foreclosure letter drafted by Tim O’Quinn for delinquent assessment accounts. The motion was seconded by Director Henson. Motion carried 4-0.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

ACTION FROM EXECUTIVE SESSION

Director McEwen made a motion to approve the Warren Act Contract with the changes as discussed. The motion was seconded by Director Henson. Motion carried 4-0.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

CONSIDERATION OF BILLS

Director Henson made a motion to pay the submitted bills. The motion was seconded by Director McEwen. Motion carried 4-0.

Directors Voted:

Perkins – “YES”
McEwen – “YES”

Box – “YES”

Evans – “ABSENT”
Henson – “YES”

ADJOURNMENT OF REGULAR MEETING-

With no further business to discuss, the meeting was adjourned at 12:00 p.m. with a unanimous vote.

ARCH HURLEY CONSERVANCY DISTRICT

President Larry Perkins

ATTEST:

Secretary/Treasurer UV Henson

