

MINUTES

Eastern New Mexico Water Utility Authority

Clovis Carver Library – North Annex
701 N. Main Street, Clovis, New Mexico
Thursday, December 16th, 2010, 10:00 AM

AGENDA ITEM NO. 1 – CALL TO ORDER

Chairwoman Brumfield

The meeting was called to order by Chairwoman Brumfield @ 10:10 AM and established the presence of a quorum.

AGENDA ITEM NO. 2 – ROLL CALL

Chairwoman Brumfield

Roll call was made with the following in attendance: Gayla Brumfield – Mayor, City of Clovis, Randy Crowder – City Commissioner, City of Clovis, Juan Garza – City Commissioner, City of Clovis, Caleb Chandler – County Commissioner, Curry County, Sharon King – Mayor, City of Portales, Tom Howell – City Manager, City of Portales and Lewis Cooper – Village of Texico.

AGENDA ITEM NO. 3 – APPROVAL OF AGENDA

Chairwoman Brumfield

A motion was made by Juan Garza and seconded by Lewis Cooper to approve the agenda which carried by acclamation.

AGENDA ITEM NO. 4 – APPROVAL OF MINUTES

Chairwoman Brumfield

A motion was made by Juan Garza and seconded by Randy Crowder to approve the minutes of the ENMWUA meeting in Texico on November 18th, 2010 after a correction of Caleb Chandler City Commissioner was corrected to County Commissioner, motion carried by acclamation.

AGENDA ITEM NO. 5 – BUSINESS ITEMS

A. State Activities

a. WTB #144 Grant/Loan Agreement – Richards, Verhines

Mr. Verhines reported that the paper work for the WTB #144 Grant/Loan was signed and closed on December 3rd, 2010. The \$4.4M is now available for our project.

2010 – 2011

Members

☐ Clovis
☐ Curry County
☐ Portales
☐ Texico

b. Transition & Legislative Activities – Thompson

Mr. Thompson reported on the transition of power moving from Heather Wilson to the new Chief of Staff, Keith Gardner. The other thing I have noticed is that they are being very careful with the information they are releasing. Scott and I have been up there quite a bit and talked to the Deputy Chief of Staff, Brian Moore and we've also talked with Matt Kennicott who will be in charge of policy about the project. We are also talking about possibly holding our next meeting in Santa Fe on January 27th and have talked about asking the governor to come over or possibly going over and visiting her and some of her key people in her cabinet. We have been approached about the possibility of trying to secure some reauthorization monies. We would ask Representative Crook, who is very good at doing this to maybe find some money for us.

c. WTB 2011 Application Overview – Verhines

Mr. Verhines handed out a page from the WTB 2011 application overview and went over the statistics of the meeting on Monday. We also uploaded a full report on basecamp for your review. There were a total of 75 applications submitted. Our project was one of those and was submitted under Water Storage, Conveyance & Delivery. Out of the 75 projects that they started with they tossed out 5

projects because they did not meet the eligibility criteria, and the difference between the 75 & 49 are the ones that did not make the cut. We were fortunate that our project is one of those that is being recommended to the legislature for funding. The good news is we made the cut, bad news is that those 49 projects represent \$88M worth of requests. The verdict is still out on what they will do with that. There is a new policy that just kicked in at this meeting and that is, any one project can not request more than 15% of the total amount of money that they expect to take in.

B. Federal Activities

a. Federal Appropriations Update – Ryan

Mr. Verhines reported that Mr. Ryan was on his way back from DC and he & Mr. Thompson had visited with Mr. Ryan this morning. We have a \$2M federal write in in the 2011 budget and what I understand is, that \$2M is still in the process and it depends on how congress acts over the next few days on how that money stays in the mix. One option is a continuing resolution with the federal government into February. The second option they talked about is a continuing resolution for the rest of the federal fiscal year until October and it is anticipated that that \$2M will be in that continuing resolution. The third option that they are talking about is an omnibus spending bill. The \$25M request that we have in for the 2012 budget, is unknown right now. If it is in the Presidents budget it would be reported out in February. (17.40)

b. Resolution Memorandum of Agreement w/Reclamation – Rohwer, Verhines

Mr. Verhines stated that for Items b & c we had hoped to have before you today but they are not completed.

c. USBR Memorandum of Agreement – Rohwer, Verhines

On the Memorandum of Agreement, we are trying to finalize negotiations with BOR. This is the umbrella agreement for future federal dollars on the project. That MOA requires a resolution authorizing your signature once we get that negotiated. We feel comfortable that we will have both of these done for our next meeting in January.

C. Ute Reservoir Water Commission Update– Bostwick, Verhines

Mr. Verhines reported that Mr. Bostwick had elected not to have a URWC meeting following our meeting this month so there was nothing to report.

D. Phase 2 Design Services – Gates, Verhines

Mr. Gates reported on the update of the Phase 2 design and what is going on. The schedule of activities we are working on now are the Design Develop Report. We will present that to Scott on the 3rd of January and we should have the 60% design ready to deliver to the authority on January 28th. We are working on these documents and a 100% design for the intake structure. The 60% - 100% are solely for this intake portion.

We have put together a tracking system for the permitting and have that in place so that we can move forward on the permits. We are also working on a communication plan and manual for land acquisition and right ways.

A question was brought up in regards to the zebra mussels and it was stated at this time Ute does not have zebra mussels. We (CH2MHill) are designing and preparing so in fact if that does occur we are prepared.

Mrs. Crockett reported that they have contacted the property owner of the additional lot for the intake structure and they are open to talking so we are in the process of drafting up letters. We are also going to be talking to the ISC.

E. ISC Report – Kent Terry

Mr. Terry apologized that he did not have a report printed but stated that the lake levels are close to what they were at the first of the year. Also nothing has been detected at Ute in regards to invasive species. ISC is supporting work being done by the State Park and Game & Fish together. This year they started monitoring nearly every boat coming to the lake. All out of state boats and quite a few locals are being inspected either by State Parks or Game & Fish before they can get to the ramps. We are all concerned about the invasive species.

F. ENMRWA to ENMWUA Transition Activities

a. Financial Report – Clifton

Mr. Clifton reported that not much happened in November, we spent \$44,234, YTD \$550,000 loan from Clovis and have taken in \$563,587. Everything is routine and running smoothly.

b. PRC/DFA Activities Update – Clifton, Thompson

Mr. Thompson reported on the PRC audit, we now have an agreement with Hinkle & Landers under the direction of Farley Vener. The PRC will add to their responsibilities and it will cost about \$5,000. Basically it will affirm the audit that is being performed by them. We have every reason to believe the audit will be completed before the end of the year.

Mr. Crowder asked; the resolution that we are looking at talks about the “Agreed Upon Procedures” what are the procedures?

Mr. Clifton stated that they are going to go back two years and verify all expenditures and revenue. Most of this they have already audited, it is the same firm that audits Clovis, by using our auditor it cuts the cost by about a third.

c. NM PRC Audit Resolution – Verhines, Thompson

A motion to adopt Resolution # 2010-6 was made by Caleb Chandler and seconded by Randy Crowder which carried by acclamation.

G. Project Development Activities

a. Environmental Activities Report – Aleta Powers

Mr. Verhines handed out Aleta Powers report and stated that the Programmatic Agreement had to do with the cultural resources and was the last major component of the Environmental Assessment which came back signed this week. That was the last major element in order to get a FONSI (Finding of No Significant Impact) for the NEPA activities.

The second significant environmental activity that took place this week was the US Fish & Wildlife Service issued their Letter of Concurrence on the Biological Assessment.

b. Ute Reservoir Shortage Sharing Agreement Proposal – Verhines

Mr. Verhines stated that at the last couple of meetings, Dr. Murphy talked about some funding through the BOR addressing the Shortage Sharing Agreement. You gave us permission and the URWC also gave their approval to put that application for funding together and we are in the process of doing that.

c. Program Managers Report – Verhines

i. Diversion Structure Update

Mr. Verhines stated that we have already discussed the diversion structure. The discussions that we have had with the parties are this, if all of us over time are going to take water out of that same place

how do we physically set that up? Do we have separate buildings, do we have a building that is just for our project, a separate building that's theirs but we are all drawing out the same shaft or do we have a single building that is divided. That is what we are down to. There seems to be support for that but we haven't worked out exactly how it's going to work.

ii. Project Schedule

Mr. Verhines stated that he had already talked about some of the important things that are coming up over the next few months; one of them is Agenda Item #6.

AGENDA ITEM NO. 6 – FUTURE AGENDA ITEMS

Chairwoman Brumfield

Next Meeting, Date, Time and Location: **Santa Fe, (Thursday) January 27th, 2010 Time: 11:30 AM @ Rio Chama Restaurant**

AGENDA ITEM NO. 7 – PUBLIC INPUT

Audience

No Audience input.

AGENDA ITEM NO. 8 – FOR THE GOOD OF THE ORDER


Chairwoman Brumfield

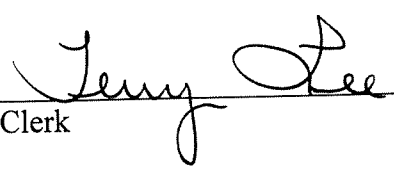
N/A

AGENDA ITEM NO. 9 – ADJOURNMENT

Chairwoman Brumfield

There being no further business the meeting was adjourned @ 11:05 AM.


Gayla Brumfield, Chairwoman
SHARON KING vice


Clerk